

2 **ESHB 2163** - S COMM AMD

3 By Committee on Health & Human Services

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 71A.20
8 RCW to read as follows:

9 The legislature recognizes that state institutions for people with
10 developmental disabilities are needed for special populations who
11 require care, treatment, or supervision. The legislature intends that
12 the residential habilitation centers shall develop into specialized
13 resources to assure public safety, provide assessments and treatment
14 plans for specialized disabling conditions, or provide specialized
15 support that cannot be provided in a cost-effective manner through home
16 or community-based services.

17 NEW SECTION. **Sec. 2.** The secretary shall remove rules, policies,
18 procedures, or guidelines that have the effect of eliminating the
19 ability of an eligible developmentally disabled person to be placed in
20 a state-operated residential habilitation center, state-operated
21 nursing home specializing in care for the developmentally disabled, or
22 state-operated group home specializing in care for the developmentally
23 disabled. As vacancies occur in those facilities, the secretary shall
24 assess persons on its waiting lists of eligible developmentally
25 disabled persons who need residential care, and accomplish their
26 placement in those facilities as their needs may require.

27 The secretary shall establish an appropriate methodology, including
28 use of a standardized assessment instrument, and assess each current
29 resident of a residential habilitation center. The secretary shall
30 analyze the data and report the score distributions and appropriate
31 summary information. In addition, for each assessment the secretary,
32 without prejudice to the placement of the person in a residential
33 habilitation center, shall:

34 (1) Identify the client-specific barriers to a community placement,
35 including:

- 1 (a) Parent or guardian opposition to a community placement;
- 2 (b) Significant risks to public safety if the resident moves to a
3 community placement;
- 4 (c) Significant risks to the resident's personal safety if the
5 resident moves to a community placement;
- 6 (d) Need for intensive medical services not available at reasonable
7 cost in a community placement;
- 8 (e) Need for other supports or supervision not available at
9 reasonable cost in a community placement; and
- 10 (f) Other client-specific barriers to a community placement.

11 (2) Analyze if the resident benefits from placement in a
12 residential habilitation center rather than community placement.

13 The secretary shall report the information required under this
14 section to the appropriate legislative committees by November 15, 1994.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 71A.20 RCW
16 to read as follows:

17 By December 15, 1994, the secretary shall transmit to the
18 appropriate legislative committees a plan regarding the future public
19 and private service delivery system for people with developmental
20 disabilities. The plan shall include:

21 (1) The examination of the future use of residential habilitation
22 centers;

23 (2) Specific criteria for residence in a residential habilitation
24 center consistent with the intent of chapter --, Laws of 1994 (this
25 act);

26 (3) An estimate of the number of people who meet the criteria for
27 residence in a residential habilitation center;

28 (4) A plan outlining safe, cost-effective community care for the
29 current residents who do not meet residential habilitation center
30 placement criteria;

31 (5) Proposed uses for any excess residential habilitation center
32 grounds and buildings by other governmental or private entities in ways
33 that the proceeds will benefit people with developmental disabilities;

34 (6) Strategies to retrain and/or provide other public sector jobs
35 in developmental disability community care or in other public service
36 for any staff not needed in the residential habilitation centers. The
37 strategies shall include but not be limited to options for development
38 of cost-effective publicly operated community-based residential and

1 other support services. The legislature recognizes the commitments
2 that have been made to the state-operated living arrangements; and
3 (7) An examination of data concerning service delivery need by
4 geographic area, public and private capacity to provide services,
5 funding mechanisms and federal reimbursement formulas, and other
6 factors affecting quality services for people with developmental
7 disabilities.

8 NEW SECTION. **Sec. 4.** To assist in preparation of the plan
9 required under section 3 of this act, the secretary shall convene a
10 task force consisting of representatives from the organizations
11 involving residential habilitation center residents or their families,
12 the developmental disabilities planning council, and state employee
13 unions. The task force shall advise and make recommendations to the
14 secretary on the plan and related issues for people with developmental
15 disabilities. To the extent possible, the task force shall examine
16 existing studies and data concerning service delivery and need by
17 geographic area, public and private capacity to deliver services,
18 funding mechanisms, reimbursement formulas, state regulations, and
19 other factors affecting costs and quality of services for people with
20 developmental disabilities. This section shall expire on December 15,
21 1994.

22 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and shall take
25 effect immediately."

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29 On page 1, line 1 of the title, after "centers;" strike the
30 remainder of the title and insert "adding new sections to chapter
31 71A.20 RCW; creating new sections; and declaring an emergency."

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