

HOUSE BILL REPORT

ESHB 1552

As Passed House
March 8, 1993

Title: An act relating to individuals with developmental disabilities.

Brief Description: Modifying provisions regarding persons with developmental disabilities.

Sponsors: By House Committee on Human Services (originally sponsored by Representatives Leonard, Sommers, Ogden, Riley, Talcott, Flemming, Silver, H. Myers, Thibaudeau, Padden, Karahalios, Johanson and Quall.)

Brief History:

Reported by House Committee on:
Human Services, February 15, 1993, DPS;
Passed House, March 8, 1993, 66-31.

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Leonard, Chair; Riley, Vice Chair; Cooke, Ranking Minority Member; Talcott, Assistant Ranking Minority Member; Karahalios; Padden; Patterson; and Wolfe.

Minority Report: Do not pass. Signed by 3 members: Representatives Brown; Lisk; and Thibaudeau.

Staff: David Knutson (786-7146).

Background: Current statutes governing services to people with disabilities do not contain clear policy relating to the type and location of services to be provided. Current statutes restrict the Department of Social and Health Services' ability to place residents of residential habilitation centers in community settings when the secretary of the department determines a community placement is appropriate. The secretary of the department does not currently have specific statutory authority to close residential habilitation centers when it is cost effective to do so.

Summary of Bill: State policy for people with developmental disabilities is modified to state that services should be

provided in the most normal, least restrictive, cost effective setting. Residents of Residential Habilitation Centers (RHCs) who are transferred to community settings may appeal the department's decision to transfer them. Their appeal will be governed by the Administrative Procedures Act, chapter 34.05 RCW. The secretary of the Department of Social and Health Services is authorized to close RHCs if it is cost-effective to do so.

If a residential habilitation center is closed, funds appropriated for the institution will be used for the ongoing support of residents transferred to community-based settings, and to serve unserved people with developmental disabilities in the community.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The Legislative Budget Committee (LBC) conducted an in depth review of services for people with developmental disabilities. This study is the basis for the legislation. People with developmental disabilities should receive services in the most normal, least restrictive, cost-effective setting. If people with developmental disabilities do not need to live in RHCs, they should be moved to more appropriate community settings.

Testimony Against: The Legislative Budget Committee study is based on poor research. Public policy should not be based on the LBC report. RHCs should remain open and continue to serve people living there.

Witnesses: Representative June Leonard, Prime Sponsor (pro); Scott Pelham, Rehabilitation Enterprises of Washington (pro); Patty Fitzpatrick, Parent (pro); Sue Elliott, Department of Social and Health Services (supports concept); Chere Hazen, Rita Minor, John Vinton, Friends of Friends (con); Mary Jo Wilcox, Assembly for Citizens With Disabilities in Washington (pro); Ray Jensen, Citizen (pro); Nancy Meltzer, Parent (pro); Joy Isham, Parent (pro); Michael Wilson, Homes for Community Living (pro); Lillian Raines and Rosemary E. Alflen, Friends of Fircrest (con); Bev Hermanson and Duwane Huffaker, Washington Federation of State Employees (con); Jackie MacRae and Jean Huntley, Action for Residential Habilitation Centers (con); and Sandy Silveria, Clark County Parent Council (pro).