

**SENATE BILL REPORT**

**ESHB 2163**

**AS REPORTED BY COMMITTEE ON HEALTH & HUMAN SERVICES,  
FEBRUARY 25, 1994**

**Brief Description:** Providing for assessment of residential habilitation center residents.

**SPONSORS:** House Committee on Human Services (originally sponsored by Representatives Ogden, Silver, Valle, Dunshee, Fuhrman, Carlson, H. Myers and Leonard; by request of Legislative Budget Committee)

**HOUSE COMMITTEE ON HUMAN SERVICES**

**HOUSE COMMITTEE ON APPROPRIATIONS**

**SENATE COMMITTEE ON HEALTH & HUMAN SERVICES**

**Majority Report:** Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Deccio, Franklin, Fraser, Hargrove, McAuliffe, Moyer, Niemi, Prentice and Winsley.

**Staff:** Don Sloma (786-7319)

**Hearing Dates:** February 24, 1994; February 25, 1994

**BACKGROUND:**

A number of questions exist regarding the ability of current residents of residential habilitation centers to move to community placements. The Department of Social and Health Services does not have a plan it follows to determine the future size of and mission for residential habilitation centers, or to determine what other services should be in place for people with developmental disabilities.

**SUMMARY:**

The Secretary of the Department of Social and Health Services must assess each resident of a residential habilitation center to identify any barriers to community placement, significant risks to the community or resident of community placement, the need for medical services and other support services. The secretary must also analyze placement costs and related comparable costs to determine what is the most cost-effective for the resident. The secretary will also develop a plan on the future use of residential habilitation centers. The plan will also address other services needed by people with developmental disabilities. A task force will assist the secretary in developing the plan.

**SUMMARY OF PROPOSED COMMITTEE AMENDMENT:**

The language of the original bill is retained with the following exceptions:

The statement of legislative recognition that living in home and community-based settings is most conducive to personal growth and independence for people with developmental disabilities is deleted.

The presumption is removed that state institutions are only for the care of those who cannot be cared for in community settings.

The legislative affirmation of support for cost-effective publicly and privately operated community-based services is deleted.

The secretary must remove rules, policies, procedures or guidelines that have the effect of eliminating the ability of a DD person to be placed in a state operated residential habilitation center, nursing home, or group home. As vacancies occur in these facilities, the secretary must assess persons on the DD waiting list and place those with residential care needs in these facilities as their needs may require.

The secretary must assess RHC residents for possible community placement "without prejudice to placement of the person in an RHC."

The secretary's duty to analyze all placement options and costs to determine the most cost-effective placement is replaced with a duty to determine if the RHC resident benefits from placement in an RHC rather than in the community.

The secretary's duty to estimate the number of RHC residents who are expected to meet the criteria for RHC placement is removed.

The secretary must only propose uses for excess RHC capacity if there should become any.

The composition of the advisory task force on a DD plan is modified by removing representatives of the advocacy roundtable and by adding representatives of "organizations involving residential habilitation center residents or their families."

Clarification is provided that jobs to be found for any displaced RHC workers must be "other public sector" jobs.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR:**

The bill will allow for a needed review of individual needs of DD residents to enable the state to complete an informed plan to "right size" our state facility and community programs. The assessment and plan was recommended by LBC and is supported by DSHS and other groups.

**TESTIMONY AGAINST:**

The proposed assessment and study would be biased against RHC placement. It is an effort to close more RHCs and this is not fair to RHC residents or their family members. Amendments are needed to balance the bill.

**TESTIFIED:** John Weber, Dev. Dis. Planning Council (pro); Anne Froberg Eddy, Action for RHCs (pro); Norm Davis, DSHS/DDD (pro); Scott Pelham, Mary Jo Wilcox, Jan Weber, WA Assembly/Disabilities (pro)