

**SENATE BILL REPORT**

**SHB 2164**

**AS PASSED SENATE, MARCH 1, 1994**

**Brief Description:** Repealing the permanent establishment of residential habilitation centers.

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

**HOUSE COMMITTEE ON HUMAN SERVICES**

**HOUSE COMMITTEE ON APPROPRIATIONS**

**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** Do pass.

Signed by Senators Rinehart, Chairman; Quigley, Vice Chairman; Bauer, Bluechel, Gaspard, Hochstatter, Ludwig, McDonald, Owen, Pelz, Roach, L. Smith, Snyder, Spanel, Sutherland and Williams.

**Staff:** Tim Yowell (786-7435)

**Hearing Dates:** February 21, 1994; February 23, 1994

**BACKGROUND:**

Since the late 1960s, the state has directly operated six state residential institutions for people with developmental disabilities. These are Interlake School and Lakeland Village, in Medical Lake, Spokane County; Yakima Valley School; Rainier School in Buckley, Pierce County; Fircrest School in Seattle; and Frances Haddon Morgan Center in Bremerton. RCW 71A.20.020 states that these six state facilities are "permanently established."

The 1993-95 Appropriations Act directed that Interlake School be closed, and the residents moved to one of the other developmental disabilities institutions, or to community programs if that is their preference. The Appropriations Act provided funds to operate new community services for persons choosing to move. The closure is proceeding according to plan, and is expected to be completed by the end of June 1994.

A parent of an Interlake resident has brought suit charging that the Legislature does not have the authority to close the facility in the Appropriations Act without amending the statutory provision that it is "permanently established." The state's position has prevailed in initial rulings by the superior court and the Supreme Court Commissioner, but the matter is under appeal.

**SUMMARY:**

Interlake School is deleted from the list of state residential habilitation centers which are "permanently established."

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

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

**TESTIMONY FOR:**

The bill was recommended by the Legislative Budget Committee after extensive study. It is more humane and cost-effective to serve people in their own communities. People First of Washington supports the closure of all institutions, rather than only Interlake as provided in this bill. Washington seems to be lagging behind the rest of the country in terms of directing its energies and resources to developing resources in the community. If the bill were to fail, plaintiffs in the court suit would argue forcefully that the Legislature can't close a facility through the appropriations act.

**TESTIMONY AGAINST:**

Closure of Interlake School will cause the loss of many valuable services. Interlake has been a last resort for people with profound physical and mental disabilities. Anticipated cost savings are illusory. Closure will instead result in increased stress, and increased medical costs, for the people who are moved.

**TESTIFIED:** Representative Val Ogden (pro); Greg Devereaux, Federation of State Employees (con); Sandy Silveria (pro); Carol Major (pro); Cherie Tessier, People First of Washington (pro); Scott Pelham (pro); Janet Adams (pro); Norm Davis, Division of Developmental Disabilities (pro); Bill Ptacek (pro); Ed Dee, Attorney General's office; Ken Neal (con); Dave Wood (con)