

SENATE BILL REPORT

SB 5238

AS OF FEBRUARY 22, 1993

Brief Description: Creating a family support program for families of individuals with developmental disabilities.

SPONSORS: Senators L. Smith, Niemi, Hargrove, McDonald, Erwin, Oke, Winsley and Hochstatter

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Staff: Martin Lovinger (786-7443)

Hearing Dates: February 23, 1993

BACKGROUND:

Current state policy recognizes the capacity of all persons, including those with developmental disabilities, to be personally and socially productive. The state must assist individuals with developmental disabilities to achieve a greater measure of independence and fulfillment and to enjoy all rights and privileges of all citizens.

A major trend in the field of developmental disabilities is delivery of services through smaller community-based programs and home-based services. Research has shown family-focused services increase the ability of the individual with developmental disabilities to live more independently. The individual and his or her family can experience greater fulfillment with adequate family support services.

A goal of family support services is to merge formal and informal support systems in order to help families and their members avoid inappropriate out-of-home placements, help families stay intact, and reunite individuals with developmental disabilities with their families. Another goal of family support is to increase the capacity of families to support their members with disabilities, whether living in the family home or in an appropriate setting outside the home, through services that strengthen the family and empower it to make decisions about its needs.

SUMMARY:

The Legislature recognizes it is in the best interest of the state to support families who provide for their members with developmental disabilities and declares that families doing so should be nurtured and that individuals with developmental disabilities have a right to an ongoing relationship with their families. The Legislature finds that the cost of long-term care may decrease with the active support of family and

friends augmented by family support and community-based services.

Definitions for case management, community support, family, family support, independence and interdependence, integration and inclusion, productivity and contribution, and therapeutic services are added to the law.

Department of Social and Health Services (DSHS) is required to coordinate public and private, formal and informal, support services for individuals with developmental disabilities and their families.

DSHS must assist each eligible individual and his or her family, if appropriate, to develop an individual service plan, including family support services, unless it is inappropriate to do so.

The family support program is established and sets forth a list of family-focused and statewide policy principles that must be followed in implementing the plan, including maximum choice and flexibility, appropriate placement, integration into communities, and the reduction of impact of developmental disabilities on families.

DSHS is required to prepare a biennial family support plan and budget, including an assessment of needs and the coordinated delivery and establishment of comprehensive services.

The state plan is implemented following requirements that apply to both public and private providers. These include participation of families in all aspects of the process, coordination of all available resources, and flexibility for families to choose among available services.

An extensive list of services from which families can choose to meet their needs in caring for the member with developmental disabilities is set forth. DSHS may use funds allocated for this program, including cash subsidies and grants, to meet the special needs of each eligible family. If cash subsidies are used, they are not alienable by assignment, sale, garnishment, or execution and shall not pass to creditors in the case of bankruptcy.

The family support program may assist in developing community-based services through grants, research, contracting directly with providers and using available programs in order to improve the availability and quality of family support services.

DSHS must assist in developing a family support plan if the need for family support services is called for in the individual service plan. The participation of the family in developing the plan is required. An annual review of each recipient under this program must be made to determine if the needs and goals of each family support plan are being met.

A family support advisory council is created to make recommendations about the program, to serve as ombudsman for consumers of family support services, and to advocate for the program to the public and to the government.

The Developmental Disabilities Planning Council is required to perform an annual evaluation of the family support program. The evaluation shall include a review of the adequacy of and family satisfaction with family support services.

It is specified that this program is intended to supplement, not supplant, existing programs.

Appropriation: none

Revenue: none

Fiscal Note: available