

# FINAL BILL REPORT

## SSB 6751

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C 216 L 98

Synopsis as Enacted

**Brief Description:** Ensuring a choice of service and residential options for citizens with developmental disabilities.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Deccio, Wojahn, Wood, Franklin, Benton, Thibaudeau, Oke and Winsley).

**Senate Committee on Health & Long-Term Care**  
**House Committee on Children & Family Services**  
**House Committee on Appropriations**

**Background:** Under current law, the Department of Social and Health Services (DSHS) contracts for community residential programs for persons with developmental disabilities, as well as employment and day programs, Medicaid personal care, and family support or respite care, and other services.

Five residential habilitation centers (RHC) provide services to persons with developmental disabilities. Currently, there are approximately 1,230 residents in RHCs.

For many years, a conflict has existed between advocates for community-based services and advocates for state-operated residential centers. In 1997, representatives from DSHS and a group of 19 stakeholders met throughout the year to try and reach an agreement over the direction the department should take in providing services to people with developmental disabilities. An agreement in principle was reached at the end of the year, which stated that people with developmental disabilities and their families should have a full spectrum of choices in deciding what services they should receive.

**Summary:** The Legislature affirms the commitment to secure for all persons with developmental disabilities (DD) the opportunity to choose where they live. This choice should include both community services and residential habilitation centers. The choice must be supported by state policy and allow, as much as possible, for people to stay in their own homes or communities.

Persons with developmental disabilities are offered entrance into a residential habilitation center or a community support service, should a vacancy occur. If a person assessed by the department is determined to have assessed needs which require the funded level of resources provided by a residential habilitation center, that person is offered admittance.

All applicants for developmental disabilities services must be given notice of the existence and availability of residential habilitation centers and community support services. Available options must be clearly explained, with services customized to fit the unique needs and circumstances of the DD clients and their families.

Until June 30, 2003, the capacity of community residential support services and residential habilitation center services must not be reduced below the budgeted capacity in each of these services in the 1997-99 appropriations act, except as reductions are necessary to adhere to an agreement with the federal Department of Justice regarding Fircrest School, and subject to budget direction from the Governor. If direction from the Governor requires reductions in the developmental disabilities budget, both RHCs and community support services will be considered.

If this capacity is not needed for current clients of the department, any vacancies that may occur in community support services or residential habilitation center services are used to expand services to eligible developmentally disabled persons not now receiving services. If there is a vacancy in a residential habilitation center, it must be made available to any eligible person who is seeking and desires the services of an RHC. That applicant must also be offered community service. If RHC capacity is not needed for permanent residents, vacancies are used for respite care or other services for eligible DD clients. The unused capacity may only be used if community support service funds are available.

The Department of Social and Health Services must develop an outreach program to ensure that anyone who is eligible for developmental disabilities services at home, in the community or in residential habilitation centers, is made aware of these services.

The department, with the participation of the developmental disabilities stakeholders work group (established in 1997), must conduct an assessment of all persons with developmental disabilities who are eligible for services. The analysis includes a broad look at all services, and results in a long-term strategic plan for the department.

The plan provides phased-in data collection and analysis on programs, services and funding for the developmentally disabled. The plan also includes budget and statutory recommendations intended to secure choice for all persons with developmental disabilities.

The department is directed to offer community support services to individuals with developmental disabilities if those individuals are offered admission to a residential habitation center.

All provisions of this act specifically do not create an entitlement to any services.

**Votes on Final Passage:**

Senate	49	0	
House	98	0	(House amended)
Senate			(Senate refused to concur)

Conference Committee

House	98	0
Senate	48	0

**Effective:** March 30, 1998