
Appropriations Committee

ESB 5971

Brief Description: Managing residential habilitation centers.

Sponsors: Senators Fairley, Zarelli, Poulsen, Rossi, Hargrove, Deccio, Rasmussen and Winsley.

Brief Summary of Engrossed Bill

- Closes Fircrest School during the 2003-05 biennium and offers residents the choice of placement at another residential habilitation center, community services, or, if appropriate, a nursing facility.
- Creates the Fircrest legacy trust account. Directs that the net receipts from the sale or lease payments for all or a portion of the property be deposited into the account and are to be used to provide services to individuals with developmental disabilities and their families.
- Prioritizes displaced Fircrest workers for increased enrollments and customized training opportunities through the College Board Worker Retraining Program.
- Adds Fircrest employees who lose their jobs to the definition of "dislocated worker" and prioritizes them for certain services.

Hearing Date:

Staff: Amy Hanson (786-7118).

Background:

Residential Habilitation Centers

The Division of Developmental Disabilities (DDD) in the Department of Social and Health Services (DSHS) operates five residential habilitation centers (RHCs), which provide 24-hour residential housing for qualified individuals with developmental disabilities needing institutional care. In addition, RHCs provide respite care and other specialized services to eligible individuals living in the community. Specific services provided at RHCs include occupational and physical therapy, limited job training, medical and dental care, pharmaceutical services, and all other services necessary to a population in an institutional setting, such as transportation, food service, recreation, personal hygiene, and social

activities. The RHCs consist of the following: Fircrest School, located in Shoreline; Frances Haddon Morgan Center, located in Bremerton; Lakeland Village, located in Medical Lake; Rainier School, located in Buckley; and Yakima Valley School, located in Selah.

Lakeland Village, the first RHC in the state, opened in 1915. At their peak in 1967, RHCs housed a combined population of over 4,000 residents. Since that time, the number of individuals with developmental disabilities living in institutions in the state has declined. Currently, approximately 1,100 individuals live in RHCs. This decline is consistent with the national trend in the number of individuals with developmental disabilities living in institutions.

Residents of RHCs are in the custody of the Secretary of the DSHS (Secretary). Whenever, in the judgment of the Secretary, the treatment and training of any resident of an RHC has progressed to the point that it is deemed advisable to return the resident to the community, the Secretary must consult with the resident and his or her legal representative or family member or other designated individual. The Secretary is also required to give written notice of the decision to return a resident to the community, which must include a statement advising the recipient of the right to an appeal. The DSHS is required to periodically evaluate the adjustment of the resident to the specific placement to determine whether the resident should continue in the placement, returned to the institution, or be provided a different placement. Transfers and discharges from RHCs are also subject to certain federal requirements.

Employment Services

The College Board Worker Retraining Program provides for training programs and related support services, including financial aid, counseling, referral to training resources, job referral, and job development that provide the following: Increased enrollments for dislocated workers; customized training opportunities for dislocated workers; and increased enrollments and support services, including financial aid, for those students not receiving unemployment insurance benefits.

The Employment Security Department (ESD) provides qualified individuals with employment and training services, ranging from financial support to assistance finding a job or retraining for a new career.

Summary of Bill:

Fircrest

The DSHS is directed to close Fircrest School during the 2003-2005 biennium. The Secretary is required to develop and implement a transition plan that ensures that residents of Fircrest School be offered the choice of services at another RHC, community services, or, if appropriate, services in a skilled nursing facility. The net proceeds from the eventual disposal of Fircrest property must be deposited in the Fircrest Legacy Trust Account established in the bill.

The Fircrest Legacy Trust Account (Account) is created in the State Treasury. Net proceeds from the disposal of surplus property at Fircrest School must be deposited into the Account. "Proceeds" include the net receipts from the sale of all or a portion of the property or the

lease payments for all or a portion of the property. Moneys in the Account may be spent only after appropriation. Expenditures from the Account may be used only for services to individuals with developmental disabilities and their families.

Residential Habilitation Centers

In the event that a resident must be transferred from one RHC to another due to a reduction in capacity or closure of a facility, the Secretary is required to consult with the resident's family or guardian, in accordance with current consultation requirements. The consultation must include the assurance that residents transferring from one RHC to another be provided comparable or better services and care at the resident's new RHC. When more than one resident must be transferred, the Secretary must consider the proximity and level of family involvement when prioritizing transfers to the closest appropriate RHC with available capacity. The transfer of a resident from one RHC to another may not be delayed by proceedings permitted under current law in response to a decision to return a resident of an RHC to the community.

Employment Services

Fircrest employees who lose their jobs with the closure of Fircrest School are added to the identified populations for whom the College Board Worker Retraining Program provides increased enrollments and customized training opportunities.

In addition, with respect to employment and training services provided by the ESD, Fircrest employees who lose their jobs with the closure of the facility are added to the definition provided in the statute of "dislocated worker" and are specifically included as a population with the highest priority for certain services.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.