

SENATE BILL REPORT

ESB 5971

As Passed Senate, March 14, 2003

Title: An act relating to residential habilitation centers.

Brief Description: Managing residential habilitation centers.

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

Brief History:

Committee Activity: Ways & Means: 3/3/03, 3/10/03 [DP].

Passed Senate: 3/14/03, 36-13.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rossi, Chair; Hewitt, Vice Chair; Zarelli, Vice Chair; Doumit, Fairley, Hale, Honeyford, Johnson, Parlette, Roach, Sheahan and Winsley.

Staff: Brian Sims (786-7431)

Background: Residential habilitation centers (RHCs) are state operated institutions for the care of persons with developmental disabilities. Five RHCs are currently established in statute, including Fircrest School in the city of Shoreline. The resident population in RHCs has declined 75 percent since the 1970s. The current population at RHCs is about 1,080. The Legislature last closed an RHC in 1994.

Residents of RHCs are in the custody of the Secretary of the Department of Social and Health Services (DSHS). Current law requires the secretary to consult with certain family members or guardians in order to move an RHC resident into a community placement. Families and guardians are also granted certain appeal rights regarding community placement decisions. The consultation requirement and appeal rights do not apply to transfers of residents from one RHC to another. Certain notification requirements under federal law do apply to such transfers.

Fircrest School is on 80 acres of state owned land. A recent appraisal based on existing zoning of surrounding property estimates the value of the property at about \$30 million.

Summary of Bill: DSHS is directed to close Fircrest School during the 2003-2005 biennium. Fircrest residents must be offered a choice of services at another RHC, a community residential placement, or, if appropriate, at a skilled nursing facility.

DSHS must consult with families about placement options and shall assure residents and their families of comparable quality of care and services. Clarification is provided that existing

consultation requirements and appeal rights involving community placements shall not delay transfers of RHC residents from one RHC to another.

The Fircrest Legacy Trust account is established in the state treasury. Net proceeds from the disposal of the Fircrest property must be deposited into the account. The account retains its own investment earnings, and expenditures from the account are limited to services to assist persons with developmental disabilities.

Fircrest School employees who lose their jobs as a result of the closure of the institution shall have access to the college board worker retraining program and shall be defined as dislocated workers in order to access employment services provided by the Employment Security Department.

Appropriation: None.

Fiscal Note: Requested on February 28, 2003.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The Fircrest Legacy Trust will provide funding for people who are getting no help now. Fircrest residents will continue to be served at other RHCs or in community settings if they chose. We can not afford to continue to operate five RHCs due to the decline in resident population.

Testimony Against: Moving Fircrest residents will be disruptive. Family members of Fircrest residents may have to drive farther to visit. Specialized services at Fircrest will be lost. Closing the facility will affect hundreds of employees.

Testified: Seventy-one people signed up to testify on the bill with about half of them able to do so in the time available. A total of 96 people signed up in favor of the bill and 62 were opposed. (Copies of the sign-up sheets are available from the Ways and Means Committee for more details.)