

SSB 6448 - H COMM AMD
By Committee on Human Services

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that a developmental
4 disability is a natural part of human life, and the presence of a
5 developmental disability in the life of a person does not diminish the
6 person's rights or opportunity to participate fully in the life of the
7 local community.

8 The legislature recognizes that the number of children who have a
9 developmental disability along with intense behaviors is increasing and
10 more families are seeking out-of-home placement for their children.
11 The legislature intends that services be created to develop skills and
12 supports designed for the child, family members, and others involved in
13 the child's life to avoid disruption to the family and reduce the need
14 for out-of-home placement.

15 Within available funds, the legislature directs the department of
16 social and health services to submit a federal waiver application
17 through which services may be provided to allow a child with a
18 developmental disability who has intense behaviors to have a permanent
19 and stable familial relationship. The legislature intends for these
20 services to be locally based and offered as early as possible to avoid
21 family disruption and out-of-home placement.

22 NEW SECTION. **Sec. 2.** (1) Upon receipt of a federal home and
23 community-based care waiver and to the extent funding is appropriated
24 for this purpose, intensive behavior support services may be provided
25 by the department of social and health services, directly or by
26 contract, to children with developmental disabilities who have intense
27 behaviors and their families.

28 (2) The department shall be the lead administrative agency for
29 intensive behavior support services and shall:

- 1 (a) Collaborate with appropriate stakeholders to develop and
2 implement the intensive behavior support services program within the
3 division of developmental disabilities;
- 4 (b) Utilize best practices and evidence-based practices;
- 5 (c) Provide coordination and planning for the implementation of
6 intensive in-home services;
- 7 (d) Contract for the provision of intensive in-home services;
- 8 (e) Monitor and evaluate services to determine whether the program
9 meets standards identified in the service contract;
- 10 (f) Collect data regarding the number of families served, and cost
11 and outcomes of the program;
- 12 (g) Adopt appropriate rules to implement the program;
- 13 (h) License out-of-home respite placements on a timely basis;
- 14 (i) Maintain an appropriate staff-to-client ratio; and
- 15 (j) Assess the child for placement in a waiver program if the child
16 has more complex needs and the family is unable to care for the child
17 at home.
- 18 (3) A child may receive services when the department has determined
19 that:
- 20 (a) The child is under the age of twenty-one;
- 21 (b) The child has a developmental disability and has been
22 determined eligible for these services;
- 23 (c) The child/family score is substantially high enough on the
24 behavior sections of the assessment conducted by the division of
25 developmental disabilities within the department to indicate the
26 child's behavior puts the child or family at significant risk and/or is
27 very likely to require an out-of-home placement;
- 28 (d) The child meets eligibility for the home and community-based
29 care waiver or waivers;
- 30 (e) The child resides in his or her family home or is temporarily
31 in an out-of-home placement with a plan to return home;
- 32 (f) The family demonstrates the ability and willingness to learn
33 the skills necessary to participate in the care outlined in the
34 completed individual support plan; and
- 35 (g) The family is not subject to a pending child protective
36 services referral.

1 NEW SECTION. **Sec. 3.** (1) Intensive behavior support services
2 under the program authorized in section 2 of this act shall be provided
3 through a core team of highly trained individuals either directly or by
4 contract.

5 (2) The intensive behavior support services program shall be
6 designed to enhance the child's and parent's skills to manage
7 behaviors, increase family and personal self-sufficiency, improve
8 functioning of the family, reduce stress on children and families, and
9 assist the family to locate and use other community services.

10 (3) The core team shall have the following characteristics and
11 responsibilities:

12 (a) Expertise in behavior management, therapies, and children's
13 crisis intervention, or have access to such specialized expertise;

14 (b) Ability to coordinate the array of services and supports needed
15 to stabilize the family;

16 (c) Ability to conduct transition planning as the individual and
17 the individual's family leave the program; and

18 (d) Ability to authorize or coordinate the services in the family's
19 home and other environments, such as schools and neighborhoods.

20 (4) The following types of services would constitute intensive
21 behavior support services:

22 (a) Behavior consultation;

23 (b) Minor home adaptations;

24 (c) Motor vehicle adaptations;

25 (d) Goods, services, and supplies;

26 (e) In-home daily care;

27 (f) Therapies;

28 (g) In-home respite and planned out-of-home respite;

29 (h) Intensive behavior management training of families and other
30 individuals and partners working with the child in all domains,
31 including the school and an individualized education plan team; and

32 (i) Coordination and planning.

33 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute
34 a new chapter in Title 71A RCW.

35 NEW SECTION. **Sec. 5.** The sum of two million eight hundred
36 thousand dollars, or as much thereof as may be necessary, is

1 appropriated for the fiscal year ending June 30, 2009, from the general
2 fund to the department of social and health services to serve up to one
3 hundred children under this act."

4 Correct the title.

EFFECT: Extends the age of eligibility from age 17 until age 20
and adds language to clarify that out-of-home placements under this
provision would be for respite purposes only.

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