
**State Government & Tribal
Affairs Committee**

HB 1584

Brief Description: Creating the institutions review commission.

Sponsors: Representatives Moeller, Jarrett, Springer, Dunshee, Darneille, Ormsby, Cody, Appleton, McCoy, Kagi, Morrell, Green and Lantz.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Creates the Institutions Review Commission.

Hearing Date: 2/16/07

Staff: Colleen Kerr (786-7168).

Background:

Washington has numerous state institutions created in statute for various purposes, including: residential habilitation centers, community training centers, and group homes for persons with disabilities; forest camps, community and group homes for juvenile offenders; outpatient clinics for persons with mental health conditions; treatment and rehabilitation programs for persons suffering from drug addiction; and state hospitals.

The following residential habilitation centers are created permanently in statute: Lakeland Village at Medical Lake in Spokane County; the Rainier School at Buckley in Pierce County; the Yakima Valley School at Selah in Yakima County; Fircrest School at Seattle in King County; Frances Haddon Morgan Children's Center at Bremerton in Kitsap County; and the Interlake School at the Eastern State Hospital at Medical Lake in Spokane County. These entities are under the authority of the Department of Social and Health Services (DSHS). The secretary of the DSHS appoints a superintendent for each institution.

There are three outpatient hospitals created permanently in statute for persons with mental illness and who require confinement: the Western State Hospital at Fort Steilacoom in Pierce County, the Eastern State Hospital at Medical Lake in Spokane County, and the Northern State Hospital

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near Sedro Woolley in Skagit County. These hospitals are under the authority of the DSHS. The secretary of the DSHS appoints a superintendent for each institution.

Washington has a State School for the Blind and a State School for the Deaf both at Vancouver in Clark County. Both schools are under the supervisions of a superintendent and a board of trustees. The superintendent of each school is appointed by the Governor.

The Department of Corrections (DOC) is a state institution, which is created in statute to establish a comprehensive system for correction of convicted law offenders and to ensure public safety. The DOC system includes maximum, medium, and minimum security facilities for inmates as well as prison work programs, litter cleanup programs, the work ethic camp program, the Green Hill School for boys at Chehalis in Lewis County, the King County Juvenile Correction Center, and the Maple Lane School for girls at Grand Mound in Thurston County.

The Washington Department of Veterans Affairs also has jurisdiction over state institutions: the Soldiers' Home at Orting in Pierce County, the Veterans Home at Restil in Garfield County, and the Spokane Veterans Home in Spokane County.

There is no comprehensive or formally structured review process to consider the physical and locational aspects of state institutions, including the age and condition of buildings and the proximity of facilities to state population centers, with regard to the policy objectives and goals set by the Legislature for these state institutions.

Summary of Bill:

The Institutions Review Commission (Commission) is created to review the effectiveness of, and the need for, state institutions.

The Commission will consist of nine members. The two largest caucuses in the House and Senate shall each appoint one member. The remaining five members of the Commission shall be appointed by the Governor. Commissioners must be appointed based on geographic representation in the state. Commissioners may not reside in a legislative district where an institution scheduled for review is located. State officials, public employees, representatives of unions that represent public employees, lobbyists, and immediate family members of such officials may not serve as commissioners. Commissioners shall receive a subsistence allowance and travel expenses, but shall not otherwise receive compensation. They shall serve two-years terms expiring July 1 of each odd-numbered year.

The Commission shall have autonomy to review all state institutions. State institutions include the State School for the Blind, the State School for the Deaf, the Department of Corrections, the Department of Veterans Affairs, and the Eastern, Northern, and Western State Hospitals as well as residential habilitation centers, state institutions for juvenile offenders, and facilities associated with the Washington National Guard Youth Challenge Program. The status of existing residential habilitation centers and state hospitals is specifically subject to the Commission's review.

The Commission will have the authority to investigate the efficiency of state institutions and to make determinations for further action. These determinations may include decisions to consolidate, expand, close, replace, or retain an institution. The Commission will provide the Governor and the appropriate policy and fiscal committees of the House and Senate with its

decisions before December 1 of each even-numbered year. To fulfill, its duties, the Commission shall:

- employ an executive director and other staff to implement the duties authorized;
- have access to state information and data regarding institutions;
- have authority to make, execute, and deliver contracts, conveyances and instruments necessary to fulfill its duties;
- have authority to contract with other state or non-state organizations for all or part of the services necessary for the management and operation of the Commission; and
- have authority to contract with consultants as necessary to fulfill its duties.

Determinations regarding state institutions will be made pursuant to a review process. During this review process, the Commission must hold at least one public hearing for each institution under review. The hearing must be within the vicinity of the facility under review. When conducting its review, the Commission shall consider criteria including, but not limited to:

- the best quality of care for the institution's residents based on state laws and policies, including community care and treatment;
- the condition of the institution's facilities, including necessary repairs or renovations;
- the institution's location relative to populations centers, supporting services, persons served, and families of persons served;
- the best use of the institution's property;
- the costs of providing the service at that institution in comparison to similar institutions, or community care or treatment; and
- state duties, objectives, and policies in law or as formally adopted by agencies.

The Commission will follow a biennial review cycle. By May 31, 2009, and every odd-numbered year thereafter, the Commission shall designate the institutions subject to review in the following review cycle. During the first review cycle, the Commission will review the State School for the Blind and the State School for the Deaf and make its decision by December 1, 2008. All state institutions shall be reviewed at least once during the first five consecutive review cycles.

Decisions by the Commission are final unless the Legislature rejects or revises the decision by a two-thirds vote of both the House and Senate. Commission decisions will go into effect the July 1st following the end of the preceding review cycle. The Governor shall implement these decisions.

Appropriation: None.

Fiscal Note: Requested on February 12, 2007.

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