
Human Services Committee

2SSB 5467

Brief Description: Creating the individual and family services program for people with developmental disabilities.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Pflug, Parlette, Kastama, Franklin, Fairley, Weinstein, Marr, Tom, Brown, Hargrove, Zarelli, McAuliffe, Regala, Clements, Kilmer, Oemig, Pridemore, Rasmussen, Kohl-Welles, Benton, Kline and Roach).

<p style="text-align: center;">Brief Summary of Second Substitute Bill</p> <ul style="list-style-type: none">• Creates the Individual and Family Services Program for individuals with developmental disabilities.

Hearing Date: 3/22/07

Staff: Sonja Hallum (786-7092).

Background:

The Division of Developmental Disabilities (DDD) provides support and services for children and adults with developmental disabilities. Approximately 35,700 people are currently enrolled with the DDD. Within the DDD, the Family Support (FS) Program provides assistance to families who have a family member with a developmental disability living at home. The FS Program currently administers multiple, separate programs to families receiving support. Multiple programs provide different levels of support for people with similar needs. The following are the current family support programs offered through the DDD, all of which are state-funded programs:

Traditional Family Support (TFS): The original program offering family support services. This program was designed to reduce or eliminate the need for out-of-home residential placements of individuals with developmental disabilities when it is the best interest of the person to continue living with his or her family.

Family Support Opportunity (FSO): The FSO began in June 1996 in an effort to provide more resources to a greater number of families than TFS. It provides a standard amount of money to

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families that can be spent on a variety of services. Additional support may be available to families if they require extraordinary support by applying to the Serious Need Program.

Emergency Services: Emergency Services funding is designed to respond to a single incident, situation, or short-term crisis such as caregiver hospitalization, absence, or incapacity. Funds are provided for a limited period not to exceed two months.

Family Support Pilot: The pilot program was created by budget proviso for fiscal years 2006 and 2007. The intent of the pilot is to provide resources to families not being served by other DDD-funded sources.

Community Service Grants: The FS Program offers short or long-term grants for communities or organizations to provide support and services for families. The resources are earmarked to sustain information and education activities such as sending out informational materials, fostering community programs to reach out to people with disabilities, lending equipment, and connecting families to other families who have children with similar disabilities.

Services provided through these FS Programs can include respite care, training and support, specialized equipment, behavior management, some nursing services, parent/family counseling, specialized utility costs, and other services depending on the program.

In 2005, a budget proviso required the Department of Social and Health Services (Department) to provide recommendations to the Legislature on strategies for integrating state-funded family support programs into a single program.

The Department convened the Family Support Workgroup which included a stakeholder group to provide input into the restructuring of the FS Program. In November 2006, the Department issued the State-Funded Family Support Programs Report which contained numerous recommendations. Among the recommendations was the recommendation to consolidate the TFS, FSO, and the pilot program into one Family Support Program. The report also contained the recommendation that income continue to be used as an eligibility criterion and to base award determination upon need as determined by an assessment.

The stakeholders involved in the Family Support Workgroup submitted an addendum to the Department report that included issue areas in which the stakeholders and Department did not agree. An area of disagreement included whether to include income as an eligibility criteria for services. The stakeholder report recommended that the family support services be based on a family's documented need, as determined by the assessment tool, without regard to income.

Summary of Bill:

The bill is to be known as the Lance Morehouse, Jr. Individual and Family Services Act and it creates the Individual and Family Services Program. The program replaces Family Support Opportunities, Traditional Family Support, and the Flexible Family Support Pilot Program. The Department is required to adopt rules for the program including the following:

Eligibility: Eligibility to receive services is to be determined based on an assessment of individual need and financial eligibility. Financial eligibility calculations differ depending on whether the person being cared for is a minor child or an adult.

- **Minor Child:** If the person being cared for is a minor child, the combined taxable income of the parents and the children with developmental disabilities must be at or below 400% of the federal poverty level.
- **Adult:** If the person being cared for is an adult with a developmental disability who is living with his or her family, the combined earned and unearned income of the adult with the developmental disability must be at or below 400% of the federal poverty level. The income of the parent is not considered.

Service Priority: Service priority levels and dollar amounts for each level are to be developed that specify a maximum amount of dollars per person, per level, per year.

Adjustments to Service Caps: The dollar caps at each service priority level are to be adjusted by the vendor rate increases authorized by the Legislature.

Allowable Services: Services available under the program include:

- respite care, including respite for paid parent providers who care for their adult sons or daughters with developmental disabilities;
- therapies;
- architectural and vehicular modifications;
- equipment and supplies;
- specialized nutrition and clothing;
- excess medical costs not covered by another source;
- copays for medical and therapeutic services;
- transportation;
- training;
- counseling;
- behavior management;
- parent/sibling education;
- recreational opportunities; and
- community services grants.

Funding for one-time exceptional needs and emergencies is also available for individuals and families not receiving the annual grants.

Department of Social and Health Services Report

The Department must report to the Legislature by January 2008 on the number of people receiving services, the number of respite hours used for paid parent providers, the number of those denied services due to income, the service priority levels and income of people receiving services, and recommendations for improvements to the program.

Appropriation: None.

Fiscal Note: Available.

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