
HOUSE BILL 3055

State of Washington

60th Legislature

2008 Regular Session

By Representatives Williams, Simpson, Conway, Haler, Roberts, and Ormsby

Read first time 01/21/08. Referred to Committee on Human Services.

1 AN ACT Relating to allowing clients receiving supported living
2 services to have control over employment of independent supported
3 living providers; adding a new section to chapter 71A.10 RCW; and
4 creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** In an effort to increase the personal and
7 social independence and fulfillment of persons with developmental
8 disabilities, consistent with state policy as expressed in RCW
9 71A.10.015, the legislature finds that persons who are eligible to
10 receive supported living services should be allowed to hire and fire
11 their own independent supported living providers.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 71A.10 RCW
13 to read as follows:

14 (1) The department of social and health services shall work with
15 the advisory council, as described in subsection (2) of this section,
16 to develop and establish a self-directed option within the existing
17 supported living program that:

1 (a) Allows clients receiving supported living services to hire,
2 fire, and direct the work of their independent supported living
3 providers;

4 (b) Provides clients receiving supported living services with
5 adequate support to be able to assist in self-direction of services,
6 including recruiting, hiring, firing, and directing independent
7 supported living providers;

8 (c) Gives control over selection of independent supported living
9 providers to clients receiving supported living services and to their
10 circles of support, as defined in this section;

11 (d) Provides that independent supported living providers in this
12 program would be considered independent contractors and could
13 collectively bargain with the state over wages and benefits and that
14 the independent supported living providers would be paid directly by
15 the state;

16 (e) Provides that any increase in an independent supported living
17 provider's wages and benefits won through collective bargaining will
18 not reduce a client's allocated hours of support as determined under
19 the program; and

20 (f) Provides that the department of social and health services will
21 provide services to fifty clients who choose to participate in the
22 self-directed option of the supported living program under medicaid
23 waivers. Of these fifty clients, twenty-five clients will be served
24 under the core waiver, and twenty-five clients will be served under the
25 basic plus waiver. If the department is unable to provide services for
26 these fifty clients under the existing waivers, the department must
27 complete a waiver amendment application to increase the total number of
28 clients served by the waivers to accommodate these additional fifty
29 clients.

30 (2) In its development of the self-directed option within the
31 supported living program as described in subsection (1) of this
32 section, the department of social and health services shall establish
33 and collaborate with an advisory council which shall include the
34 following:

35 (a) A representative of the Washington developmental disabilities
36 council to be designated by the director of the organization;

37 (b) A representative of the arc of Washington state to be
38 designated by the director of the organization;

1 (c) A client receiving supported living services to be named by the
2 department of social and health services;

3 (d) A family member of a client receiving supported living services
4 to be named by the department of social and health services;

5 (e) A representative of a labor or employee organization which
6 represents at least twenty thousand home and community-based long-term
7 care workers, the representative to be designated by the principal
8 officer of the labor or employee organization; and

9 (f) A representative of the department of social and health
10 services aging and adult services administration to be designated by
11 the assistant secretary of the department of social and health
12 services.

13 (3) For purposes of this section:

14 (a) "Independent supported living provider" means a person who
15 provides residential services under the self-directed option of the
16 supported living program.

17 (b) "Circles of support" includes family members, friends, and
18 other interested persons who control decisions regarding the selection
19 of direct support workers to work with the client.

20 (4) The department of social and health services shall establish
21 the self-directed option described in subsection (2) of this section by
22 July 1, 2009.

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