
SENATE BILL 6448

State of Washington

60th Legislature

2008 Regular Session

By Senators Marr, Zarelli, Keiser, Delvin, Kline, Brown, Brandland, Kohl-Welles, Fairley, Shin, Pflug, McAuliffe, Rasmussen, and Kilmer

Read first time 01/16/08. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to intensive behavior support services for children
2 with developmental disabilities; adding a new chapter to Title 71A RCW;
3 and making an appropriation.

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

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

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

17 Within available funds, the legislature directs the department to
18 focus these services to allow a child with a developmental disability
19 who has intense behaviors to have a permanent and stable familial

1 relationship. The legislature intends for these services to be locally
2 based and offered as early as possible to avoid family disruption and
3 out-of-home placement.

4 NEW SECTION. **Sec. 2.** Intensive in-home services may be provided
5 by the department, or an entity with which the department has
6 contracted, to children and their families only when the department has
7 determined that:

8 (1) The child is under the age of eighteen;

9 (2) The child has a developmental disability and has been
10 determined eligible for these services;

11 (3) The child/family score is substantially high enough on the
12 behavior sections of the assessment conducted by the division of
13 developmental disabilities within the department to indicate the
14 child's behavior puts the child or family at significant risk and/or is
15 very likely to require an out-of-home placement;

16 (4) The child meets eligibility for the home and community waiver
17 or waivers;

18 (5) The child resides in his or her family home or is temporarily
19 in an out-of-home placement with a plan to return home;

20 (6) The family demonstrates the ability and willingness to learn
21 the skills necessary to participate in the care outlined in the
22 completed individual support plan; and

23 (7) The family is not subject to a pending child protective
24 services referral.

25 NEW SECTION. **Sec. 3.** (1) The department shall implement these
26 services statewide with a core team of highly trained individuals that
27 it either contracts for or hires directly.

28 (2) The core team shall have the following characteristics and
29 responsibilities:

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

32 (b) Ability to coordinate the array of services/supports needed to
33 stabilize the family;

34 (c) Ability to conduct transition planning as an individual/family
35 leaves the program; and

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

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

8 (4) The following types of services would constitute intensive
9 behavior support services:

10 (a) Behavior consultation;

11 (b) Minor home adaptations;

12 (c) Motor vehicle adaptations;

13 (d) Goods, services, and supplies;

14 (e) In-home daily care;

15 (f) Therapies;

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

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

20 (i) Coordination and planning.

21 (5) The department shall be the lead administrative agency for
22 children's intensive behavior support services and shall:

23 (a) Collaborate with appropriate stakeholders to develop and
24 implement the intensive behavior support services program within the
25 division of developmental disabilities;

26 (b) Utilize best practices and evidence-based practices;

27 (c) Provide coordination and planning for the implementation and
28 expansion of intensive in-home services;

29 (d) Contract for the provision of intensive in-home services;

30 (e) Monitor and evaluate services to determine whether the program
31 meets standards identified in the service contract;

32 (f) Collect data regarding the number of families served, and cost
33 and outcomes of the program;

34 (g) Adopt appropriate rules to implement the program;

35 (h) License out-of-home placements on a timely basis;

36 (i) Maintain a caseload of one staff for every thirty clients;

37 (j) Assess the child for placement in a waiver program if the child

1 has more complex needs and the family is unable to care for the child
2 at home.

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

5 NEW SECTION. **Sec. 5.** The sum of two million eight hundred
6 thousand dollars, or as much thereof as may be necessary, is
7 appropriated for the fiscal year ending June 30, 2009, from the general
8 fund to the department of social and health services for the purposes
9 of this act.

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