
SUBSTITUTE HOUSE BILL 1161

State of Washington 61st Legislature 2009 Regular Session

By House Human Services (originally sponsored by Representatives Dickerson, Darneille, Hunt, Pettigrew, O'Brien, Roberts, Kagi, Pedersen, Conway, Simpson, Goodman, Kenney, Quall, Santos, and Nelson)

READ FIRST TIME 02/05/09.

1 AN ACT Relating to early intervention services for children with
2 disabilities; amending RCW 43.88C.010; adding new sections to chapter
3 70.195 RCW; creating new sections; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that early
6 intervention services are cost-effective and effectively serve the
7 developmental needs of infants and toddlers with disabilities and
8 developmental delays and their families. Therefore, the purpose of
9 this act is to provide a comprehensive, coordinated, interagency,
10 interdisciplinary early intervention services system for all eligible
11 infants and toddlers and their families by enhancing the capacity to
12 equitably provide quality early intervention services, and facilitating
13 coordination of payments for early intervention services from various
14 public and private sources.

15 (2) The legislature finds that there is an urgent and substantial
16 need to:

17 (a) Enhance the development of all eligible infants and toddlers
18 with disabilities in the state of Washington, in order to minimize

1 developmental delay and maximize individual potential for adult
2 independence;

3 (b) Enhance the capacity of families to meet the special needs of
4 all eligible infants and toddlers with disabilities;

5 (c) Reduce educational costs by minimizing the need for special
6 education and related services when eligible infants and toddlers reach
7 school age;

8 (d) Enhance the independence, productivity, and integration with
9 age-appropriate peers of eligible children and their families;

10 (e) Reduce social services costs and minimize the need for out-of-
11 home placement; and

12 (f) Prevent secondary impairments and disabilities by improving the
13 health of infants and toddlers, thereby reducing health costs for the
14 families and the state.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.195 RCW
16 to read as follows:

17 The legislature intends that the policy of this state shall be
18 that:

19 (1) To the extent that Washington state has in effect a federally
20 approved plan under Part C of the federal individuals with disabilities
21 education improvement act, all eligible infants and toddlers with
22 disabilities and developmental delays have a right to receive early
23 intervention services to the maximum extent appropriate as determined
24 by the evaluations, assessments, and the individualized family service
25 plans pursuant to Part C of the federal individuals with disabilities
26 education improvement act and the Washington state infant and toddler
27 early intervention program federally approved plan. A child's
28 eligibility must be determined according to the Washington state infant
29 toddler early intervention program policies and procedures and the
30 federally approved state plan;

31 (2) The role of the family is of primary importance in all areas of
32 the child's development, and implementation of services to the child
33 and decision-making processes regarding the child must fully involve
34 primary care providers;

35 (3) Public funding and support must be provided to all eligible
36 infants and toddlers and their families and must include parent
37 resources and address their individual concerns and priorities;

1 (4) On a statewide basis, locally based comprehensive, coordinated,
2 interdisciplinary, interagency early intervention services for all
3 eligible infants and toddlers must be developed, implemented,
4 maintained, and facilitated by the designated infant and toddler early
5 intervention program local lead agencies;

6 (5) The local communities' capacity to provide an array of quality
7 early intervention services must be enhanced; and

8 (6) All available resources for early intervention within the state
9 including those from federal, state, local, and private sources must be
10 identified and coordinated. The individualized family service plan
11 must incorporate all services and activities, including education,
12 health, and social services resources necessary to coordinate and
13 implement early intervention services.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.195 RCW
15 to read as follows:

16 (1) In coordination with other funding sources for early
17 intervention services, the department of social and health services
18 shall, in accordance with RCW 71A.14.030, contract with each county
19 governing authority to provide funding for early intervention services
20 to all eligible children with disabilities from birth to three years of
21 age who have been identified as needing services. County governing
22 authorities shall provide or contract for early intervention services
23 to all eligible children within the county who have been identified as
24 needing services in partnership with infant toddler early intervention
25 program local lead agencies, school districts, and birth-to-three
26 providers.

27 (2) To the extent that Washington state has in effect a federally
28 approved plan under Part C of the federal individuals with disabilities
29 education improvement act, the department of social and health services
30 shall, in calculating the contract amounts for county governing
31 authorities, designate funding for early intervention services to all
32 eligible children with disabilities from birth to three years of age to
33 provide all necessary services as determined by the child's
34 individualized family service plan and by Part C of the federal
35 individuals with disabilities education improvement act. The governor-
36 appointed state lead agency shall be payer of last resort for
37 birth-to-three early intervention services provided under this section.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.195 RCW
2 to read as follows:

3 The department of social and health services is the governor-
4 appointed state lead agency for implementing the early intervention
5 section, Part C, of the federal individuals with disabilities education
6 improvement act and the Washington state federally approved plan, which
7 shall be administered by the infant toddler early intervention program.
8 The legislature directs that all public early intervention funding
9 sources shall assure that services are provided in accordance with the
10 requirements of Part C and the Washington state federally approved
11 plan.

12 **Sec. 5.** RCW 43.88C.010 and 2000 c 90 s 1 are each amended to read
13 as follows:

14 (1) The caseload forecast council is hereby created. The council
15 shall consist of two individuals appointed by the governor and four
16 individuals, one of whom is appointed by the chairperson of each of the
17 two largest political caucuses in the senate and house of
18 representatives. The chair of the council shall be selected from among
19 the four caucus appointees. The council may select such other officers
20 as the members deem necessary.

21 (2) The council shall employ a caseload forecast supervisor to
22 supervise the preparation of all caseload forecasts. As used in this
23 chapter, "supervisor" means the caseload forecast supervisor.

24 (3) Approval by an affirmative vote of at least five members of the
25 council is required for any decisions regarding employment of the
26 supervisor. Employment of the supervisor shall terminate after each
27 term of three years. At the end of the first year of each three-year
28 term the council shall consider extension of the supervisor's term by
29 one year. The council may fix the compensation of the supervisor. The
30 supervisor shall employ staff sufficient to accomplish the purposes of
31 this section.

32 (4) The caseload forecast council shall oversee the preparation of
33 and approve, by an affirmative vote of at least four members, the
34 official state caseload forecasts prepared under RCW 43.88C.020. If
35 the council is unable to approve a forecast before a date required in
36 RCW 43.88C.020, the supervisor shall submit the forecast without

1 approval and the forecast shall have the same effect as if approved by
2 the council.

3 (5) A councilmember who does not cast an affirmative vote for
4 approval of the official caseload forecast may request, and the
5 supervisor shall provide, an alternative forecast based on assumptions
6 specified by the member.

7 (6) Members of the caseload forecast council shall serve without
8 additional compensation but shall be reimbursed for travel expenses in
9 accordance with RCW 44.04.120 while attending sessions of the council
10 or on official business authorized by the council. Nonlegislative
11 members of the council shall be reimbursed for travel expenses in
12 accordance with RCW 43.03.050 and 43.03.060.

13 (7) "Caseload," as used in this chapter, means the number of
14 persons expected to meet entitlement requirements and require the
15 services of public assistance programs, state correctional
16 institutions, state correctional noninstitutional supervision, state
17 institutions for juvenile offenders, the common school system, long-
18 term care, medical assistance, foster care, infant toddler early
19 intervention program, and adoption support.

20 (8) Unless the context clearly requires otherwise, the definitions
21 provided in RCW 43.88.020 apply to this chapter.

22 NEW SECTION. **Sec. 6.** This act may be known and cited as the
23 infant toddler equity act.

24 NEW SECTION. **Sec. 7.** This act takes effect July 1, 2011.

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