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HOUSE BILL 2360

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State of Washington

61st Legislature

2009 Regular Session

By Representative Darneille

1 AN ACT Relating to consolidation of administrative services for  
2 AIDS grants in the department of health; amending RCW 70.24.400; and  
3 providing an effective date.

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

5 **Sec. 1.** RCW 70.24.400 and 1998 c 245 s 126 are each amended to  
6 read as follows:

7 ~~((The department shall establish a statewide system of regional  
8 acquired immunodeficiency syndrome (AIDS) service networks as  
9 follows:))~~

10 (1) The secretary of health shall direct that all state or federal  
11 funds, excluding those from federal Title XIX for services or other  
12 activities authorized in this chapter, shall be allocated to the office  
13 on AIDS established in RCW 70.24.250. The secretary shall further  
14 direct that all funds for services and activities specified in  
15 subsection ~~((3))~~ (4) of this section shall be provided ~~((to lead  
16 counties through contractual agreements based on plans developed as  
17 provided in subsection (2) of this section, unless direction of such  
18 funds is explicitly prohibited by federal law, federal regulation, or  
19 federal policy. The department shall deny funding allocations to lead~~

1 ~~counties only if the denial is based upon documented incidents of~~  
2 ~~nonfeasance, misfeasance, or malfeasance. However, the department~~  
3 ~~shall give written notice and thirty days for corrective action in~~  
4 ~~incidents of misfeasance or nonfeasance before funding may be denied.~~  
5 ~~The department shall designate six AIDS service network regions~~  
6 ~~encompassing the state. In doing so, the department shall use the~~  
7 ~~boundaries of the regional structures in place for the community~~  
8 ~~services administration on January 1, 1988.~~

9 ~~(2) The department shall request that a lead county within each~~  
10 ~~region, which shall be the county with the largest population, prepare,~~  
11 ~~through a cooperative effort of local health departments within the~~  
12 ~~region, a regional organizational and service plan, which meets the~~  
13 ~~requirements set forth in subsection (3) of this section. Efforts~~  
14 ~~should be made to use existing plans, where appropriate. The plan~~  
15 ~~should place emphasis on contracting with existing hospitals, major~~  
16 ~~voluntary organizations, or health care organizations within a region~~  
17 ~~that have in the past provided quality services similar to those~~  
18 ~~mentioned in subsection (3) of this section and that have demonstrated~~  
19 ~~an interest in providing any of the components listed in subsection (3)~~  
20 ~~of this section. If any of the counties within a region do not~~  
21 ~~participate, it shall be the lead county's responsibility to develop~~  
22 ~~the part of the plan for the nonparticipating county or counties. If~~  
23 ~~all of the counties within a region do not participate, the department~~  
24 ~~shall assume the responsibility.~~

25 ~~(3) The regional AIDS service network plan shall include the~~  
26 ~~following components:~~

- 27 ~~(a) A designated single administrative or coordinating agency;~~  
28 ~~(b) A complement of services to include:~~  
29 ~~(i) Voluntary and anonymous counseling and testing;~~  
30 ~~(ii) Mandatory testing and/or counseling services for certain~~  
31 ~~individuals, as required by law;~~  
32 ~~(iii) Notification of sexual partners of infected persons, as~~  
33 ~~required by law;~~  
34 ~~(iv) Education for the general public, health professionals, and~~  
35 ~~high-risk groups;~~  
36 ~~(v) Intervention strategies to reduce the incidence of HIV~~  
37 ~~infection among high risk groups, possibly including needle~~  
38 ~~sterilization and methadone maintenance;~~

1 ~~(vi) Related community outreach services for runaway youth;~~  
2 ~~(vii) Case management;~~  
3 ~~(viii) Strategies for the development of volunteer networks;~~  
4 ~~(ix) Strategies for the coordination of related agencies within the~~  
5 ~~network; and~~

6 ~~(x) Other necessary information, including needs particular to the~~  
7 ~~region;~~

8 ~~(c) A service delivery model that includes:~~

9 ~~(i) Case management services; and~~

10 ~~(ii) A community based continuum of care model encompassing both~~  
11 ~~medical, mental health, and social services with the goal of~~  
12 ~~maintaining persons with AIDS in a home like setting, to the extent~~  
13 ~~possible, in the least expensive manner; and~~

14 ~~(d) Budget, caseload, and staffing projections))~~ by the department  
15 directly to public and private providers in the communities.

16 ~~((+4))~~ (2) Efforts shall be made by both the counties and the  
17 department to use existing service delivery systems, where possible(~~(,~~  
18 ~~in developing the networks))~~.

19 ~~((+5))~~ (3) The University of Washington health science program, in  
20 cooperation with the office on AIDS, may, within available resources,  
21 establish a center for AIDS education(~~(,~~ ~~which shall be linked to the~~  
22 ~~networks))~~. The center for AIDS education is not intended to engage in  
23 state-funded research related to HIV infection, AIDS, or HIV-related  
24 conditions. Its duties shall include providing the office on AIDS with  
25 the appropriate educational materials necessary to carry out that  
26 office's duties.

27 ~~((+6) The department shall implement this section, consistent with~~  
28 ~~available funds, by October 1, 1988, by establishing six regional AIDS~~  
29 ~~service networks whose combined jurisdictions shall include the entire~~  
30 ~~state.~~

31 ~~(a) Until June 30, 1991, available funding for each regional AIDS~~  
32 ~~service network shall be allocated as follows:~~

33 ~~(i) Seventy five percent of the amount provided for regional AIDS~~  
34 ~~service networks shall be allocated per capita based on the number of~~  
35 ~~persons residing within each region, but in no case less than one~~  
36 ~~hundred fifty thousand dollars for each regional AIDS service network~~  
37 ~~per fiscal year. This amount shall be expended for))~~ (4) The  
38 department shall develop standards and criteria for awarding grants to

1 support testing, counseling, education, case management, notification  
2 of sexual partners of infected persons, planning, coordination, and  
3 other services required by law(~~(, except for those enumerated in~~  
4 ~~(a)(ii) of this subsection.~~

5 ~~(ii) Twenty five percent of the amount provided for regional AIDS~~  
6 ~~service networks)). In addition, funds shall be allocated for  
7 intervention strategies specifically addressing groups that are at a  
8 high risk of being infected with the human immunodeficiency virus.  
9 ~~((The allocation shall be made by the office on AIDS based on~~  
10 ~~documented need as specified in regional AIDS network plans.~~~~

11 ~~(b) After June 30, 1991, the funding shall be allocated as provided~~  
12 ~~by law.~~

13 ~~(7) The regional AIDS service networks shall be the official state~~  
14 ~~regional agencies for AIDS information education and coordination of~~  
15 ~~services. The state public health officer, as designated by the~~  
16 ~~secretary of health, shall make adequate efforts to publicize the~~  
17 ~~existence and functions of the networks.~~

18 ~~(8) If the department is not able to establish a network by an~~  
19 ~~agreement solely with counties, it may contract with nonprofit agencies~~  
20 ~~for any or all of the designated network responsibilities.~~

21 ~~(9) The department, in establishing the networks, shall study~~  
22 ~~mechanisms that could lead to reduced costs and/or increased access to~~  
23 ~~services. The methods shall include capitation.~~

24 ~~(10))~~ (5) The department shall reflect in its departmental  
25 biennial budget request the funds necessary to implement this section.

26 ~~((11))~~ (6) The use of appropriate materials may be authorized by  
27 ~~((regional AIDS service networks))~~ the department in the prevention or  
28 control of HIV infection.

29 NEW SECTION. Sec. 2. This act takes effect January 1, 2010.

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