

SHB 2363 - S COMM AMD
By Committee on Health Care

ADOPTED 03/04/2014

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 74.04 RCW
4 to read as follows:

5 (1) As used in this section:

6 (a) "Dependent" means a spouse, birth child, adopted child, or
7 stepchild of a military service member.

8 (b) "Legal resident" means a person who maintains Washington as his
9 or her principal establishment, home of record, or permanent home and
10 to where, whenever absent due to military obligation, he or she intends
11 to return.

12 (c) "Military service" means service in the armed forces, armed
13 forces reserves, or membership in the Washington national guard.

14 (d) "Military service member," for the purposes of this section, is
15 expanded to mean a person who is currently in military service or who
16 has separated from military service in the previous eighteen months
17 either through retirement or military separation.

18 (2) A dependent, who is a legal resident of the state, having
19 previously been determined to be eligible for developmental disability
20 services through the department, shall retain eligibility as long as he
21 or she remains a legal resident of the state regardless of having left
22 the state due to the military service member's military assignment
23 outside the state. If the state eligibility requirements change, the
24 dependent shall retain eligibility until a reeligibility determination
25 is made.

26 (3) Upon assessment determination, the department shall direct that
27 services be provided consistent with Title 71A RCW and appropriate
28 rules if the dependent furnishes:

29 (a) A copy of the military service member's DD-214 or other
30 equivalent discharge paperwork; and

1 (b) Proof of the military service member's legal residence in the
2 state, as provided under RCW 46.16A.140.

3 (4) For dependents who received developmental disability services
4 and who left the state due to the military service member's military
5 assignment outside the state, upon the dependent's return to the state
6 and when a request for services is made, the department must:

7 (a) Determine eligibility for services which may include request
8 for waiver services;

9 (b) Provide notification for the service eligibility determination
10 which includes notification for denial of services; and

11 (c) Provide due process through the appeals processes established
12 by the department.

13 (5) To continue eligibility under subsection (2) of this section,
14 the dependent is required to inform the department of his or her
15 current address and provide updates as requested by the department.

16 (6) The secretary shall request a waiver from the appropriate
17 federal agency if it is necessary to implement the provisions of this
18 section.

19 (7) The department may adopt rules necessary to implement the
20 provisions of this section."

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21 On page 1, line 2 of the title, after "members;" strike the
22 remainder of the title and insert "and adding a new section to chapter
23 7404 RCW."

EFFECT: The bill provides that if state eligibility requirements
change, the dependent will retain eligibility until new information is
provided to DSHS by the dependent or military service member. This

provision is modified to require that if eligibility requirements change, the dependent retains eligibility until a reeligibility determination is made.

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