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HOUSE BILL 1333

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State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Pettigrew, Walsh, Pollet, Kagi, Green, Reykdal, Santos, Sawyer, Moscoso, and Morrell

Read first time 01/23/13. Referred to Committee on Appropriations.

1            AN ACT Relating to restoring payment rates for community  
2 residential providers and annually adjusting payment rates for  
3 community residential providers by the rate of inflation; adding a new  
4 section to chapter 71A.12 RCW; creating new sections; providing an  
5 effective date; and declaring an emergency.

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

7            NEW SECTION.    **Sec. 1.** The legislature finds that the rate of  
8 reimbursement for providers of community residential services to  
9 persons with developmental disabilities currently has no established  
10 mechanism to keep pace with inflation. Further, the legislature finds  
11 that rate reductions to providers of community residential services to  
12 persons with developmental disabilities have decreased the gap between  
13 the hourly Washington minimum wage and the entry level hourly wage for  
14 direct support staff.

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

17            (1) Beginning in fiscal year 2014, and in each fiscal year  
18 thereafter, the benchmark rate, the indirect client

1 support/administrative rate, and other service rate components for  
2 providers of community residential services to persons with  
3 developmental disabilities must be adjusted by an inflation factor  
4 during the first month of each fiscal year. The inflation factor must  
5 be calculated based on the rate of change in the consumer price index  
6 for urban wage earners and clerical workers, published by the United  
7 States bureau of labor statistics, for the most recent available twelve  
8 month period. The adjustment may not be less than zero percent and may  
9 not exceed four percent.

10 (2) The benchmark rate for providers of community residential  
11 services to persons with developmental disabilities must be restored to  
12 the June 2009 payment level, prior to four percent in rate reductions.  
13 On July 1, 2013, after the inflation factor adjustment has been  
14 applied, the benchmark rate must be raised by an additional two  
15 percent. On July 1, 2014, after the inflation factor adjustment has  
16 been applied, the benchmark rate must be raised by an additional two  
17 percent.

18 (3) The department must review the indirect client  
19 support/administrative rate for all providers of community residential  
20 services to persons with developmental disabilities. On July 1, 2013,  
21 any indirect client support/administrative rate from a provider that  
22 falls below the standard rate, as established in this section, must be  
23 raised by the department to the indirect client support/administrative  
24 standard rate.

25 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this  
26 act, referencing this act by bill or chapter number, is not provided by  
27 June 30, 2013, in the omnibus appropriations act, this act is null and  
28 void.

29 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
30 preservation of the public peace, health, or safety, or support of the  
31 state government and its existing public institutions, and takes effect  
32 July 1, 2013.

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