

HOUSE BILL REPORT

SHB 2767

As Passed House:
February 16, 2016

Title: An act relating to defining and using the term center-based services for individuals with developmental disabilities.

Brief Description: Defining and using the term center-based services for individuals with developmental disabilities.

Sponsors: House Committee on Early Learning & Human Services (originally sponsored by Representatives Walsh, Kagi, Kilduff, Schmick and Dye).

Brief History:

Committee Activity:

Early Learning & Human Services: 2/2/16, 2/3/16 [DPS];
Appropriations: 2/8/16 [DPS(ELHS)].

Floor Activity:

Passed House: 2/16/16, 97-1.

Brief Summary of Substitute Bill

- Creates a definition for "center-based services" for individuals with developmental disabilities.
- Requires the Developmental Disability Administration to adopt and revise rules to ensure that the term "center-based services" is used.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Kagi, Chair; Senn, Vice Chair; Walsh, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hawkins, Kilduff, McCaslin, Ortiz-Self, Sawyer, Scott and Walkinshaw.

Staff: Luke Wickham (786-7146).

HOUSE COMMITTEE ON APPROPRIATIONS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Cody, Dent, Fitzgibbon, Haler, Hansen, Harris, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, MacEwen, Magendanz, Pettigrew, Robinson, Sawyer, Schmick, Senn, Springer, Stokesbary, Sullivan, Tharinger, Van Werven and Walkinshaw.

Minority Report: Without recommendation. Signed by 2 members: Representatives Condotta and Manweller.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Mary Mulholland (786-7391).

Background:

Prevocational services for individuals with developmental disabilities are not defined in statute, but are defined in the Washington Administrative Code. The code defines prevocational services as typically occurring in a specialized or segregated setting and includes individualized monthly employment related activities in the community.

Summary of Substitute Bill:

A definition for "center-based services" is added to the RCW Title relating to developmental disabilities. Center-based services is defined to mean job-training, skill development, and community employment services provided by a qualified organization for individuals with significant disabilities. Services can be provided at a facility, or any portion thereof, or at an integrated community site operated by the corporation, where business work activities are carried on and whose primary purpose is to provide gainful employment training and preparatory training services to individuals with disabilities who are not prepared for competitive employment, or during such time as employment opportunities for the individual in the competitive labor market do not exist. Services under the "center-based services" definition may include skill evaluation, job training, and other employment-related services for individuals with developmental or other significant disabilities whose mental, emotional, or physical limitations keep them from obtaining work in the competitive labor market.

The Secretary of the Developmental Disability Administration (DDA) must adopt and revise rules to ensure that the term "center-based services" is used to refer to services meeting the definition above.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Early Learning & Human Services):

(In support) There has been a negative connotation to the term "sheltered workshops," and this bill would replace that term with the term "center-based services." The purpose of this bill is to provide clarity to the services provided for individuals with developmental disabilities. This bill clarifies the services that may be provided to these individuals. The DDA has turned a blind eye to the comments received by providers. The services provided by center-based service providers do not take away an individual's ability to engage in gainful employment. The DDA has taken away the personal choice for individuals to engage in these services. The DDA clients should be able to engage in the active treatment provided by these providers.

Many individuals with developmental disabilities are sitting at home doing nothing. The requirement for individuals with developmental disabilities to participate in work activities before community access services is not working for many individuals.

The transition plan to the Centers for Medicare and Medicaid Services would make prevocational services go away. Many of the individuals who are turned away from these services return to the couch.

An array of employment options is the best option for individuals with developmental disabilities. Without those options, the most disabled end up with no services.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Tahoma Associates is one of five organizations in the top 12 in the state that provides individual employment services and center-based services. The state has obligated itself to provide a comprehensive and coordinated system of services for people challenged by developmental disabilities based upon their needs, preferences, and choice. The bill simply clarifies the antiquated term "sheltered workshop," which carries negative connotations, and replaces it with "center-based services" to reflect accurate and current terminology. There is no fiscal impact. On the ladder of success for people with disabilities, there needs to be a lot of different rungs. Those rungs need to be within reach of people trying to climb that ladder. Center-based services help provide a meaningful rung on the ladder of success for people with disabilities.

(Opposed) None.

Persons Testifying (Early Learning & Human Services): Representative Walsh, prime sponsor; Scott Rapp, Tahoma Associates; and Alan Gill.

Persons Testifying (Appropriations): Scott Rapp, Tahoma Associates.

Persons Signed In To Testify But Not Testifying (Early Learning & Human Services): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.