
HOUSE BILL 2790

State of Washington

64th Legislature

2016 Regular Session

By Representatives Walsh, Kilduff, Nealey, Kagi, Senn, Zeiger, Sawyer, Schmick, Dye, McBride, Pollet, Haler, Walkinshaw, and Tarleton

Read first time 01/20/16. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to employment and community access services for
2 individuals with developmental disabilities; and amending RCW
3 71A.12.290.

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

5 **Sec. 1.** RCW 71A.12.290 and 2012 c 49 s 1 are each amended to
6 read as follows:

7 (1) Clients age twenty-one and older who are receiving employment
8 services must be offered the choice to transition to a community
9 access program after nine months of enrollment in an employment
10 program, and the option to transition from a community access program
11 to an employment program at any time. Enrollment in an employment
12 program begins at the time the client is authorized to receive
13 employment.

14 (2) Prior approval by the department shall not be required to
15 effectuate the client's choice to transition from an employment
16 program to community access services after verifying nine months of
17 participation in employment-related services.

18 (3) The department shall inform clients and their legal
19 representatives of all available options for employment and day
20 services, including the opportunity to request an exception from
21 enrollment in an employment program. Information provided to the

1 client and the client's legal representative must include the types
2 of activities each service option provides, and the amount, scope,
3 and duration of service for which the client would be eligible under
4 each service option. An individual client may be authorized for only
5 one service option, either employment services or community access
6 services. Clients may not participate in more than one of these
7 services at any given time.

8 (4) The department shall work with counties and stakeholders to
9 strengthen and expand the existing community access program,
10 including the consideration of options that allow for alternative
11 service settings outside of the client's residence. The program
12 should emphasize support for the clients so that they are able to
13 participate in activities that integrate them into their community
14 and support independent living and skills. The department shall use
15 the same algorithm to determine the number of hours clients receive
16 for employment and community access services.

17 (5) The department shall develop and implement rules to allow for
18 an exception to the requirement that a client participate in an
19 employment program for nine months prior to transitioning to a
20 community access program. This exception must take into consideration
21 an individual's medical condition, an individual's history of care
22 needs, the availability of employment providers, and allow for other
23 good cause reasons for an exception.

24 (a) The department must ensure that clients, parents of clients,
25 and guardians of clients are aware of the ability to apply for the
26 exception permitted by this subsection (5).

27 (b) Beginning December 1, 2016, the department shall annually
28 report electronically to the appropriate committees of the
29 legislature, pursuant to RCW 43.01.036, the specific rules that allow
30 individuals to receive an exception to the nine-month employment
31 program participation requirement and the number of individuals
32 provided an exception in each county.

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