

SENATE BILL REPORT

ESSB 6257

As Amended by House, February 28, 2018

Title: An act relating to provision of early intervention services for eligible children with disabilities from birth through two years of age.

Brief Description: Developing a funding model for early intervention services for eligible children.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Billig, Zeiger, Kuderer, Keiser, Palumbo and Saldaña).

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/23/18, 2/01/18 [DPS, w/oRec].

Floor Activity:

Passed Senate: 2/08/18, 46-0.

Passed House: 2/28/18, 79-19.

Brief Summary of Engrossed First Substitute Bill

- Tasks certain agencies with developing a funding model with which to determine the amount of allocations in the budget after July 1, 2019, for early intervention services for children with disabilities from birth through two years of age.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6257 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig, Hawkins, Hunt, Mullet, Pedersen and Rivers.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

Staff: Ailey Kato (786-7434)

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.

Background: Part C of the federal Individuals with Disabilities Education Act (IDEA) provides early intervention services for infants and toddlers, birth through age two, who have disabilities, which includes developmental delays and diagnosed physical or mental conditions. Early intervention services include occupational or physical therapy; speech-language pathology; psychological, health, vision, social work, and other services.

The Department of Early Learning (DEL) is the lead agency for the state's program called Early Support for Infants and Toddlers (ESIT). DCYF will be the lead agency starting on July 1, 2018.

Referrals to early intervention services are provided through local lead agencies around the state. Each local lead agency provides, subcontracts, or has agreements with early intervention providers to provide direct services to children and families. Local lead agencies include county health departments, county human services agencies, nonprofit agencies, and educational service districts.

Current state law requires school districts to provide or contract, or both, for early intervention services in partnership with local lead agencies and providers. Early intervention services are not part of basic education under Article IX of the state Constitution.

ESIT has a number of funding sources. DEL receives federal Part C funding and some state funding. School districts receive state funding through special education excess cost allocations for children ages birth through four-year-olds and five-year-olds not enrolled in kindergarten.

State law requires the Governor to appoint a state interagency coordinating council and ensure that state agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families must coordinate and collaborate in the planning and delivery of such services.

Summary of Engrossed First Substitute Bill: DCYF, in consultation with DEL, the Office of the Superintendent of Public Instruction (OSPI), the Office of Financial Management (OFM), the Caseload Forecast Council (CFC), legislative fiscal staff, and with advice and assistance from the state interagency coordinating council, must develop a funding model with which to determine the amount of annual allocations that must be appropriated in the omnibus appropriations act after July 1, 2019, for early intervention services, which DCYF oversees.

By September 1, 2018, DCYF must submit a final report that includes the agreed-upon funding model and any necessary statutory changes to OFM and the fiscal committees of the Legislature.

DCYF must direct public entities who are billing Medicaid to provide early intervention services to bill private insurance as soon as practicable.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Proposed Substitute: *The committee recommended a different version of the bill than what was heard.* PRO: DEL and soon to be DCYF is the lead agency for this important program. This bill continues the evolution of this program by making sure all of this program's funding flows through one agency, which is more efficient and effective. This bill will help maximize participation and funding for this program.

Persons Testifying: PRO: Senator Andy Billig, Prime Sponsor; Frank Ordway, DEL.

Persons Signed In To Testify But Not Testifying: No one.

EFFECT OF HOUSE AMENDMENT(S):

- Specifies that the applicable committees of the state interagency coordinating council must provide advice and assistance to the agencies.