

HOUSE BILL REPORT

HB 2591

As Reported by House Committee On:
Human Services & Early Learning

Title: An act relating to youth eligible for developmental disability services who are expected to exit the foster care system.

Brief Description: Concerning youth eligible for developmental disability services who are expected to exit the foster care system.

Sponsors: Representatives Senn, Dent, Kilduff, Eslick, Appleton, Callan, Macri, Corry, Frame, Pollet, Robinson, Thai, Caldier, Fey, Chopp, Bergquist, Lekanoff, Cody, Doglio, Gregerson, Goodman, J. Johnson, Leavitt, Santos, Ormsby, Riccelli and Davis.

Brief History:

Committee Activity:

Human Services & Early Learning: 1/28/20, 1/29/20 [DP].

Brief Summary of Bill

- Requires the Caseload Forecast Council to forecast the number of people under age 21 who are eligible for Developmental Disability Administration (DDA) waiver services who are also dependent and expected to exit dependency proceedings after reaching age 18 or 21.
- Requires the funding for the number of people under age 21 who are eligible for DDA waiver services who are also dependent and expected to exit dependency proceedings to be budgeted as a maintenance level cost.
- Requires the Department of Children, Youth, and Families to convene a shared planning meeting held for youth who are dependent and eligible for DDA services when the youth is between ages 16 and 16-1/2 years old to plan for services in adulthood.

HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

Majority Report: Do pass. Signed by 13 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Dent, Ranking Minority Member; Eslick, Assistant Ranking

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Minority Member; McCaslin, Assistant Ranking Minority Member; Corry, Goodman, Griffey, Kilduff, Klippert, Lovick and Ortiz-Self.

Staff: Luke Wickham (786-7146).

Background:

The Caseload Forecast Council.

The Caseload Forecast Council (CFC) oversees the preparation and approval of the official state caseload forecasts. The CFC consists of two persons appointed by the Governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the Senate and House of Representatives. The CFC estimates the number of persons expected to meet entitlement requirements and require the service of certain programs or systems, such as public assistance programs, the common school and charter school systems, foster care, and the Early Childhood Education and Assistance Program.

Developmental Disabilities Administration.

The Department of Social and Health Services' Developmental Disability Administration (DDA) assists individuals with developmental disabilities and their families to obtain services and support based on individual preferences, capabilities, and needs.

While some DDA clients live in residential habilitation centers, an institutional setting, most clients live in the community.

Home and Community Based Services (HCBS) waivers are designed to allow clients who live in community settings to receive the same level of services that he or she would receive in an institutional setting. The DDA offers services under five Medicaid HCBS waivers. To be eligible for a HCBS waiver, the individual must:

- have a qualifying developmental disability;
- meet the intermediate care facility requirements for individuals with an intellectual disability level of care;
- have a disability according to criteria established in the Social Security Act;
- meet financial eligibility criteria;
- choose to receive services in the community rather than in an intermediate care facility;
- have an Individual Support Plan showing how the individual's health, safety, and habilitation needs can be met in the community with a monthly waiver service;
- not be residing in a hospital, jail, prison, nursing facility, intermediate care facility, or other institution; and
- meet additional criteria for the Children's Intensive In-Home Behavioral Support Program.

The services provided to clients are designed to promote everyday activities, routines, and relationships common to most citizens, and they include employment services and community access services, which are contracted with counties.

The DDA waiver caseload may not exceed the funding provided in the operating budget.

Dependency Court Proceedings.

Anyone, including the Department of Children, Youth, and Families (DCYF), may file a petition in court alleging that a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. These petitions must be verified and contain a statement of facts that constitute a dependency and the names and residence of the parents if known.

When a child is taken into custody, the court is to hold a shelter care hearing within 72 hours. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the dependency case is being resolved.

If a court determines that a child is dependent, the court will conduct periodic reviews and make determinations regarding the child's placement, provision of services by the DCYF, compliance of the parents, and whether progress has been made by the parents.

Shared Planning Meetings.

The DCYF must convene a shared planning meeting that includes the DDA for youth ages 17 to 17-1/2 years old who will be aging out of foster care. If these youth may qualify for DDA services, the DCYF must direct these youth to apply for services and provide assistance in the application process.

Summary of Bill:

The CFC is required to forecast the number of individuals under age 21 who are eligible for Medicaid waiver services administered by the DDA who are also dependent and expected to exit dependency proceedings after reaching age 18 or 21 if served by extended foster care. The Legislature intends that this forecast be used to inform an expansion of developmental disability waiver slots to serve individuals upon an exit from dependency proceedings or extended foster care. Funding for this expansion must be budgeted as a maintenance level cost.

The DCYF must convene a shared planning meeting held for youth who are dependent and eligible for services administered by the DDA when the youth is between ages 16 and 16-1/2 years old. The meeting must be used to begin planning services for the youth in advance of his or her transition to adulthood.

Appropriation: None.

Fiscal Note: Requested on January 21, 2020.

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

Staff Summary of Public Testimony:

(In support) There are a number of individuals exiting the foster care system who enter hospitals or homelessness. There is a need for planning to appropriately serve this community. This bill is both humanitarian and a cost-saving measure. When people turn age 18 or 21, there are often inappropriate living options available. When taken to hospitals because of a lack of other options, the behavior of youth often deteriorates because hospitals are not the appropriate place for these youth. This deterioration will sometimes lead individuals to move from hospitals to residential habilitation centers. The financial cost of hospital and residential habilitation center services far outweigh the cost of appropriate housing and services. This bill takes a very good step toward improving services for individuals with intellectual and developmental disabilities. For years families have said that they cannot keep children in their home without becoming an adult family home business. This bill will help support those families.

(Opposed) None.

Persons Testifying: Representative Senn, prime sponsor; Stacy Dym, The Arc of King County; Roni Cook, Harbour Pointe Middle School; Betty Schwieterman, Developmental Disabilities Ombuds; Donna Patrick, Developmental Disabilities Council; and David Green and Alexandra Green, Office of Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: None.