H-1038.1

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**SECOND SUBSTITUTE HOUSE BILL 1061**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Senn, Dent, Leavitt, Wicks, Slatter, Wylie, Simmons, Kloba, Ortiz-Self, Gregerson, Callan, Young, Morgan, Frame, Santos, Rule, and Davis)

AN ACT Relating to youth eligible for developmental disability services who are expected to exit the child welfare system; amending RCW 74.13.341; adding a new section to chapter 74.13 RCW; adding a new section to chapter 71A.12 RCW; and creating new sections.

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

NEW SECTION. **Sec.**  The legislature intends that this act help reduce the number of former foster youth with developmental disabilities discharged into homelessness or inappropriately placed in hospitals. The legislature further intends that the steps taken under this act maximize the use of the most cost-effective services for former foster youth with developmental disabilities.

NEW SECTION. **Sec.**  A new section is added to chapter 74.13 RCW to read as follows:

(1) The department shall collaborate with the developmental disabilities administration of the department of social and health services to determine the number of enrolled clients of the developmental disabilities administration of the department of social and health services ages 16 through 21 years old who are functionally eligible for medicaid waiver services, who are also defined as dependent children under chapter 13.34 RCW, and who may exit dependency proceedings under chapter 13.34 RCW after reaching the maximum age for dependent children.

(2) By November 15th, and in compliance with RCW 43.01.036, the department shall submit an annual report to the appropriate committees of the legislature that provides the number of children and youth identified under subsection (1) of this section and other relevant information related to best serving these youth.

**Sec.**  RCW 74.13.341 and 2018 c 58 s 49 are each amended to read as follows:

(1) With respect to ((~~youth who will be aging out of foster care~~)) children who are subject to an open dependency proceeding under chapter 13.34 RCW and may exit dependency proceedings under chapter 13.34 RCW after reaching the maximum age for dependent children, the department shall invite representatives from the entity providing managed health and behavioral health care for foster youth required under RCW 74.09.860, and the department of social and health services ((~~division of~~)) behavioral health ((~~and recovery~~)) administration, the ((~~disability services~~)) developmental disabilities administration, the division of vocational rehabilitation, and the economic services administration((~~, and the juvenile justice and rehabilitation administration~~)) to the youth's shared planning meeting that occurs between the age ((~~seventeen~~)) of 17 and ((~~seventeen and one-half~~)) 17.5 that is used to develop a transition plan. It is the responsibility of the department to include these agencies in the shared planning meeting.

(2) For youth who are subject to an open dependency proceeding under chapter 13.34 RCW and the department caseworker believes may be eligible for services administered by the developmental disabilities administration, the department shall convene a shared planning meeting that includes representatives from the developmental disabilities administration and the division of vocational rehabilitation when the youth is between the ages of 16 and 16.5. This meeting must be used to begin planning services for the youth in advance of the youth's transition to adulthood. The shared planning meeting required under this subsection may include:

(a) Assessing functional eligibility for developmental disability waiver services;

(b) Understanding the services that the youth wants or needs upon the youth's exit from a dependency under chapter 13.34 RCW;

(c) Advanced planning for residential services provided by the developmental disabilities administration of the department of social and health services;

(d) Advanced planning for housing options available from entities other than the developmental disabilities administration of the department of social and health services the youth wants or needs upon the youth's exit from a dependency under chapter 13.34 RCW; and

(e) Development of an action plan so that the services the youth wants or needs will be provided following the youth's exit from dependency proceedings under chapter 13.34 RCW.

(3) If ((~~foster youth~~)) children who are subject to an open dependency proceeding under chapter 13.34 RCW and who are the subject of ((~~this~~)) either shared planning meeting described under this section may qualify for services provided by the developmental ((~~disability services~~)) disabilities administration pursuant to Title 71A RCW, the department shall direct these youth to apply for these services and provide assistance in the application process.

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

When there is funded capacity for services provided through a medicaid waiver administered by the department, and to the extent consistent with federal law and federal funding requirements, priority for that waiver shall be provided to eligible individuals who exited a dependency proceeding under chapter 13.34 RCW within the last two years.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2021, in the omnibus appropriations act, this act is null and void.

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