

FINAL BILL REPORT

2SHB 1061

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Synopsis as Enacted

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

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

House Committee on Children, Youth & Families
House Committee on Appropriations
Senate Committee on Health & Long Term Care
Senate Committee on Human Services, Reentry & Rehabilitation
Senate Committee on Ways & Means

Background:

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 Department of Social and Health Services' Developmental Disability Administration (DDA) for youth ages 17 to

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17-1/2 who will be aging out of foster care. If these youth qualify for DDA services, the DCYF must direct these youth to apply for services and provide assistance in the application process.

Developmental Disabilities Administration.

The 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 they 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 waiver services provided to DDA 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.

Summary:

The Department of Children, Youth, and Families (DCYF) must collaborate with the Developmental Disability Administration (DDA) to determine the number of enrolled clients of the DDA ages 16 through 21 who are functionally eligible for Medicaid waiver services administered by the DDA who are also defined as dependent children (involved in the child welfare court system), and expected to exit those court proceedings after reaching the maximum age for dependent children.

The DCYF must submit an annual report by November 15 that provides:

- the number of youth and children identified above; and
- other relevant information related to best serving these youth.

The DDA must give priority for Medicaid waivers to eligible individuals who exited a dependency proceeding within the last two years when there is funded capacity for those waivers.

The DCYF must convene a shared planning meeting that includes DDA staff for youth who are dependent and eligible for DDA services when the youth is between ages 16 and 16-1/2. This meeting must be used to begin planning services for the youth in advance of the youth's transition to adulthood and may include:

- assessing the youth's eligibility for DDA waiver services;
- understanding the services the youth wants or needs;
- advanced planning for residential services provided by DDA;
- advanced planning for other housing options; and
- development of an action plan so the services will be provided after the youth exits the child welfare system.

Votes on Final Passage:

House	97	0
Senate	49	0

Effective: July 25, 2021