

HOUSE BILL REPORT

HB 1802

As Reported by House Committee On:
State Government & Tribal Relations

Title: An act relating to increasing access and representation in policy-making processes for individuals with disabilities.

Brief Description: Increasing access and representation in policy-making processes for individuals with disabilities.

Sponsors: Representatives Pollet, Frame, Wicks, Paul, Bateman, Callan, Davis, Goodman, Leavitt, Taylor, Macri, Peterson, Ramel, Ryu, Orwall, Wylie, Simmons, Valdez, Walen, Dolan, Stonier, Ortiz-Self, Riccelli, Harris-Talley and Kloba.

Brief History:

Committee Activity:

State Government & Tribal Relations: 1/13/22, 1/17/22 [DP].

Brief Summary of Bill

- Provides for certain membership requirements for any statutorily created or statutorily mandated task force, work group, advisory committee, or other entity created in or mandated by statute that is tasked with examining policies and issues directly related to people with disabilities.
- Requires that the Chief Clerk of the House of Representatives and the Secretary of the Senate hold forums to identify, among other things, barriers to access to the Legislature and the stakeholder engagement process.
- Requires that the Chief Clerk of the House of Representatives and the Secretary of the Senate ensure that any relevant training material or guidance provided to legislators or legislative staff include, among other things, best practices for providing barrier-free access to the Legislature.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 4 members: Representatives Valdez, Chair; Lekanoff, Vice Chair; Dolan and Gregerson.

Minority Report: Without recommendation. Signed by 3 members: Representatives Volz, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Graham.

Staff: Desiree Omli (786-7105).

Background:

According to the Center for Disease Control, in 2019 there were 1,296,016 adults in Washington with a disability, amounting to one in every five adults.

There are several government entities in Washington that address issues relating to disabilities. The Governor's Committee on Disability Issues and Employment (Committee), housed within the Employment Security Department, advises the Governor, Legislature, and state agencies on policies that affect people with disabilities. It also provides training and technical assistance to the business community to promote employment opportunities and awareness of disability issues. The Joint Legislative Executive Committee on Aging and Disability was established in the 2013 Operating Budget with the purpose of identifying key strategic actions to prepare for the aging of the population in Washington. Membership of this committee is composed of legislators and non-legislative members. In addition, the Washington State Developmental Disabilities Council (Council) was established in 1976 through the Governor's Executive Order after the enactment of the Developmental Disabilities Assistance and Bill of Rights Act which provided federal funding to states to establish and maintain a State Council on Developmental Disabilities. The Council advocates for equitable policies, programs, and practices that benefit people with developmental disabilities and their families.

Summary of Bill:

Any statutorily created or statutorily mandated task force, work group, advisory committee, or other entity created in or mandated by statute that is tasked with examining policies and issues related directly and tangibly to people with disabilities must meet the following membership requirements:

1. At least three members or 30 percent of the membership, whichever is higher, must be people with disabilities who have direct lived experience with the identified issue being addressed.
2. Members must reflect the diversity of people with lived experience with disabilities.

The membership requirements do not apply to legislative select committees or other

statutorily created or statutorily mandated entity composed of only legislative members. The Statute Law Committee must include these membership requirements in any published bill drafting guide.

The Chief Clerk of the House of Representatives and the Secretary of the Senate must, in consultation with the Governor's Committee on Disability Issues and Employment, the Washington State Developmental Disabilities Council, and the Office of Equity, hold forums and identify:

- barriers to access and meaningful participation by people with disabilities in stakeholder engagement conducted by legislators and legislative standing committees;
- tools to support access and meaningful participation in stakeholder engagement for people with disabilities; and
- accommodations and modifications to stakeholder engagement processes which promote an increase in access and opportunities for participation in policy-making processes for people with disabilities.

By December 1, 2022, the Chief Clerk of the House of Representatives and the Secretary of the Senate must submit a report to the Legislature and legislative staff that details the findings from the forums.

The Chief Clerk of the House of Representatives and the Secretary of the Senate must ensure that any relevant training material or guidance provided to legislators or legislative staff:

- describes the membership requirements for statutorily created or statutorily mandated entities tasked with examining policies and issues related to people with disabilities;
- strongly encourages the inclusion of people with disabilities as participants and subject matter experts in committee work sessions on the topic of disabilities;
- includes best practices for providing barrier-free access to the Legislature; and
- includes any recommendations based on the forums held by the Chief Clerk of the House of Representatives and the Secretary of the Senate.

Appropriation: None.

Fiscal Note: Not requested.

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) People with disabilities, including those with psychiatric disabilities, are experts in the problems that impact them and should have a say in the solutions to help them, including how services should be offered. Historically, people with disabilities have

been denied a seat at the table which lead to harmful policies. When state entities are shaping policies that affect the lives of people with disabilities, those with direct lived experience who are impacted should be invited to participate in the discussions early throughout the process to share their experience and educate policymakers on what can and should be done to help. When people with direct lived experience are included in these discussions, the chance of finding the right solutions the first time increases. It's important that people be able to be self-advocates and have a voice on issues that affect them directly rather than letting others make decisions on their behalf. This bill not only requires people with disabilities to be at the table, but ensures that the table is accessible. The requirement of more than one person with a disability to be represented on these work groups ensures that they will be heard and not afraid to speak up, which may be the case if the requirement was to only have one person with disabilities be represented on these work groups. This policy helps people with some of the greatest needs and greatest barriers to be heard and allows for a person-centered plan.

This is the only minority group you can join at any age. Everyone will experience a disability at some point in their lives, so this impacts not only one-fifth of residents with a disability currently, but all residents in the state.

(Opposed) None.

(Other) Washington is one of the worst states in America to be a disabled person. There is no infrastructure in the state for persons with disabilities and no functional advocacy system. This policy does not provide for outreach to talk to people in the disabled communities. This policy ignores those with disabilities who cannot have their own voice and therefore have co-advocates to advocate on their behalf. This policy needs to include participation by those co-advocates so that the needs of those who cannot express themselves can be represented.

Persons Testifying: (In support) Representative Gerry Pollet, prime sponsor; Laura Van Tosh, Washington Legislative and Policy Advocates; Samantha Fogg; Diana Stadden, The Arc of Washington State; Darya Farivar, Disability Rights Washington; Ivanova Smith, Jessica Renner, and Robert Wardell, Self Advocates in Leadership; William Kinyon and Elizabeth Gordon, Governor's Committee on Disability Issues and Employment; Courtney Thom; Ros Damm; Eric Matthes, People First of Washington State; Moses Perez, Open Doors for Multicultural Families; Rocio Lopez; Anthony Nash; and Annika Browne, Washington Recovery Alliance.

(Other) Geneva Langworthy, FreeSnorri.com; and Ryan and Kelley Nesbitt.

Persons Signed In To Testify But Not Testifying: None.