

SENATE BILL REPORT

SSB 5819

As Amended by House, March 3, 2022

Title: An act relating to the developmental disabilities administration's no-paid services caseload.

Brief Description: Concerning the developmental disabilities administration's no-paid services caseload.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Braun, Brown, Conway, Dozier, Frockt, Keiser, Randall, Rivers, Saldaña, Short, Trudeau, Warnick and Wilson, L.).

Brief History:

Committee Activity: Health & Long Term Care: 1/28/22, 1/31/22 [DP-WM].
Ways & Means: 2/04/22, 2/07/22 [DPS].

Floor Activity: Passed Senate: 2/10/22, 49-0.
Passed House: 3/3/22, 98-0.

Brief Summary of First Substitute Bill

- Directs the Developmental Disabilities Administration (DDA) to hire two full time employees to review and maintain the no-paid services caseload.
- Requires DDA to provide case resource management services to clients on the no-paid services caseload.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Frockt, Vice Chair; Muzzall, Ranking Member; Conway, Holy, Keiser, Padden, Randall, Rivers, Robinson, Sefzik and Van De Wege.

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.

Staff: LeighBeth Merrick (786-7445)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5819 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital; Billig, Braun, Carlyle, Conway, Dhingra, Gildon, Hasegawa, Hunt, Keiser, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

Staff: Maria Hovde (786-7474)

Background: The Developmental Disabilities Administration (DDA) is a subdivision of the Department of Social and Health Services (DSHS) and administers a broad range of programs and Medicaid services for eligible individuals with developmental disabilities in Washington State. These services and programs may include case management, personal care, respite, employment, community engagement, crisis stabilization services, and residential supports. The level of support needed by DDA clients to assist them in their daily lives and help them participate in the community varies greatly by individual.

There are two avenues for which functionally and financially eligible individuals may obtain Medicaid paid services in community settings through DDA—the Community First Choice Option (CFCO) of the Medicaid State Plan, and Home and Community Based Services (HCBS) waivers. The CFCO is an uncapped entitlement and provides personal care to those who qualify for institutional care, but would rather be served in their homes or communities. The five HCBS waivers allow DDA clients who live in community settings to receive optional services at the same level the individual would receive in an institutional setting. Unlike the CFCO, each waiver has a capacity limit on the number of people who can be served.

Once determined DDA eligible, a person may or may not choose to request services. Many people initiate the eligibility process without a current need for services. This reduces the timeline for accessing future services when needed. A client is put on the no-paid services caseload once they are found to be eligible for DDA services, but are not receiving paid services. When the client needs a paid service, they must contact DDA to make a request.

Prior to 2011, the no-paid services caseload was managed by case managers. Due to budget reductions, DDA discontinued providing case management services to clients on the no-paid services caseload. In 2020, the Legislature directed DDA to review the no-paid services caseload and update the information to accurately reflect a current count of eligible people and identify the number of people contacted who are currently interested in receiving a paid DDA service. On September 30, 2021, there were 48,181 DDA-eligible

individuals. Of these, 12,040 were not receiving any paid services. In December 2021, DDA reported they were able to successfully contact 1,784 individuals and of these, 63 percent of them desired a service. DDA was allocated two full-time employees to complete this work. Funding for these employees ends on June 30, 2022.

Summary of First Substitute Bill: DDA must hire two permanent, full-time employees to regularly review and maintain the no-paid services caseload which includes updating the caseload to reflect a current count of eligible individuals and identifying the number of individuals contacted who are currently interested in receiving a DDA paid service and if the individual would like services now or within the next year. DDA must annually report their findings to the Governor and Legislature.

DDA must provide clients on the no-paid services caseload with case resource management services. The case resource managers are required to contact and respond to the client to discuss the client's service needs and explain to the client the service options available through DSHS or other community resources.

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 Original Bill (Health & Long Term Care): PRO: Clients on the no-paid services caseload don't have anyone at DDA to connect with when they need services. This bill would provide them with the necessary case management services so they can easily connect to services when they need them. It is important for DDA to have dedicated staff for assessing the caseload and forecasting service needs over the next year.

Persons Testifying (Health & Long Term Care): PRO: Diana Stadden, The Arc of WA State; Adrienne Stuart, WA State Developmental Disabilities Council; Jessica Renner, Self Advocates in Leadership (SAIL); Noah Seidel, Office of Developmental Disabilities Ombuds.

Persons Signed In To Testify But Not Testifying (Health & Long Term Care): No one.

Staff Summary of Public Testimony on Original Bill (Ways & Means): *The committee recommended a different version of the bill than what was heard.* None.

Persons Testifying (Ways & Means): No one.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

EFFECT OF HOUSE AMENDMENT(S):

- Makes the bill null and void if funding is not provided in the 2022 supplemental operating budget.