
SUBSTITUTE HOUSE BILL 1980

State of Washington

67th Legislature

2022 Regular Session

By House Appropriations (originally sponsored by Representatives Taylor, Caldier, Davis, Frame, Leavitt, Lekanoff, Ryu, Santos, Simmons, Ramel, Robertson, Bronoske, Paul, Peterson, Fitzgibbon, Goodman, Wicks, J. Johnson, Valdez, Bateman, Macri, and Chopp)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to removing the prohibition on providing
2 employment services and community access services concurrently;
3 amending RCW 71A.12.290; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that individuals
6 with intellectual and developmental disabilities have the right to
7 choose how they engage in their community, while having the necessary
8 supports to do so. The dual services prohibition between individual
9 supported employment and community inclusion has prevented
10 individuals with intellectual and developmental disabilities from
11 engaging in the supported activities, volunteerism, and social and
12 practical skill-building offered by community inclusion while
13 employed or waiting for job placement. This lack of dual services has
14 left many individuals with intellectual and developmental
15 disabilities unengaged, isolated, and without the freedom to choose
16 between services. By removing this prohibition, the legislature
17 intends to enhance and supplement individual supported employment and
18 give back an individual's right to participate in multiple services
19 that best meet their needs for community growth and engagement.

1 **Sec. 2.** RCW 71A.12.290 and 2012 c 49 s 1 are each amended to
2 read as follows:

3 (1) Clients age (~~((twenty-one))~~) 21 and older who are receiving
4 employment services must be offered the choice to transition to a
5 community access program after nine months of enrollment in an
6 employment program, and the option to transition from a community
7 access program to an employment program at any time. Enrollment in an
8 employment program begins at the time the client is authorized to
9 receive employment.

10 (2) Prior approval by the department shall not be required to
11 effectuate the client's choice to transition from an employment
12 program to community access services after verifying nine months of
13 participation in employment-related services.

14 (3) The department shall inform clients and their legal
15 representatives of all available options for employment and day
16 services, including the opportunity to request an exception from
17 enrollment in an employment program. Information provided to the
18 client and the client's legal representative must include the types
19 of activities each service option provides, and the amount, scope,
20 and duration of service for which the client would be eligible under
21 each service option. (~~((An individual client may be authorized for
22 only one service option, either employment services or community
23 access services. Clients may not participate in more than one of
24 these services at any given time.))~~)

25 (4) The department shall work with counties and stakeholders to
26 strengthen and expand the existing community access program,
27 including the consideration of options that allow for alternative
28 service settings outside of the client's residence. The program
29 should emphasize support for the clients so that they are able to
30 participate in activities that integrate them into their community
31 and support independent living and skills.

32 (5) The department shall develop rules to allow for an exception
33 to the requirement that a client participate in an employment program
34 for nine months prior to transitioning to a community access program.

35 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
36 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2022, in the omnibus appropriations act, this
2 act is null and void.

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