

# SENATE BILL REPORT

## SB 5506

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As Reported by Senate Committee On:  
Human Services, February 2, 2023

**Title:** An act relating to enhanced behavior support homes.

**Brief Description:** Establishing an enhanced behavior support homes model.

**Sponsors:** Senators Kauffman, Dhingra, Hasegawa, Keiser, Lovelett, Randall, Rivers, Saldaña, Shewmake, Wagoner and Wilson, C..

**Brief History:**

**Committee Activity:** Human Services: 1/25/23, 2/02/23.

**Brief Summary of Bill**

- Establishes the Enhanced Behavior Support Homes Program.
- Directs the director of the Department of Commerce and other entities to assess the capacity of residential habilitation centers and group training homes to become licensed and certified.

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### SENATE COMMITTEE ON HUMAN SERVICES

**Staff:** Delika Steele (786-7486)

**Background:** The capital budget appropriates funding to the Department of Commerce (Commerce) for various housing programs. The largest housing program is funded by the Housing Trust Fund, which provides grants or loans to develop and preserve affordable housing to meet the needs of low-income and special needs populations.

The Department of Social and Health Services (DSHS) Developmental Disability Administration (DDA) assists individuals with developmental disabilities and their families to obtain services and support based on individual preferences, capabilities, and needs.

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*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.*

DDA clients live in residential habilitation centers (RHCs), an institutional setting, as well as in the community.

Eligibility for DDA services hinges on whether the client has a qualified developmental disability, has a functional need, and meets certain income and asset standards.

The services provided to clients are designed to promote everyday activities, routines, and relationships common to most people, and include employment services and community access services, which are contracted with counties.

**Summary of Bill:** Subject to amounts appropriated, the Enhanced Behavior Support Homes Program is established to provide enhanced behavioral services and support to individuals in a community setting rather than in an institution. Commerce, working with DDA and DSHS, must create standards for licensure or certification of enhanced behavior support homes. The Commerce director must license or certify enhanced behavior support homes that meet the following minimum standards:

- require 24-hour supervision of residents;
- provide an appropriate response to the acuity of the residents;
- establish requirements for the ability to use delayed egress devices of the time-delay type;
- establish resident rights substantially similar to the rights of residents in residential habilitation centers; and
- establish program standards, design requirements, staffing structure, staff qualifications, and training.

Training must include 40 hours of emergency intervention, and address the specialized needs of clients. Emergency intervention training should also emphasize positive behavior support and alternative techniques to physical restraints.

The Commerce director and the entities providing state and local services must:

- work with licensed residential habilitation centers and group training homes to assess their capacity to become licensed or certified under Commerce standards; and
- enter into contracts and payment arrangements with such centers and homes willing to provide support placements if licensed or certified facilities are available.

Enhanced behavior support home providers are responsible for coordinating the development and updating each client's individual behavior support plan with the client's individual behavior support team. The plan must be developed within 14 days of a client's admission to an enhanced behavior support home, and maximize the opportunities for resident independence, recovery, employment, amongst other things, and provide for minimally restrictive care and services.

Delayed egress means a device that gives staff awareness of movements within a facility. Except for temporary delays such as delayed egress consistent with state building code,

door control systems must not prevent residents from leaving on their own accord.

An enhanced behavior support home is a residential facility or a group home that provides 24-hour nonmedical care to individuals with developmental disabilities who require enhanced behavior support, staffing, and supervision. These homes must have a maximum capacity of four clients and must be eligible for federal Medicaid funding.

Enhanced behavioral services and support means additional staffing supervision, facility characteristics, and psychiatric or other services and support. These services and support serve individuals in a community setting and address challenging behaviors, beyond what is typically available in other facilities or homes.

An individual behavior support plan:

- identifies and documents behavior and intensive support and service needs of a client;
- details the strategies and interventions to be employed and which services are required to address those needs; and
- includes the entity responsible for providing those services and timelines for when support will begin.

Individual behavior support team refers to the individuals who develop, monitor, and revise the individual behavior support plans. The team must, at a minimum, include:

- administration service coordinator or other administration representatives;
- client, or guardian or authorized representative, or both;
- service provider's board-certified behavior analyst or qualified behavior modification professional;
- enhanced behavior support home administrator;
- clients' rights advocate, unless the client objects; and
- others needed for developing a comprehensive and effective individual behavior support plan.

A residential habilitation center is a state-operated facility for persons with developmental disabilities. Service or services refers to those provided by state or local government to carry out the Developmental Disabilities Law.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Requested on January 23, 2023.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.