
SENATE BILL 5790

State of Washington

64th Legislature

2015 Regular Session

By Senators Darneille, Roach, Conway, Hasegawa, Miloscia, O'Ban, Jayapal, Rolfes, McAuliffe, and Dammeier

Read first time 02/03/15. Referred to Committee on Health Care.

1 AN ACT Relating to service options for individuals with
2 developmental disabilities; amending RCW 71A.12.290; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** The legislature intends to assure that
6 individuals with developmental disabilities and their families have
7 flexibility and choice in employment and community access options.

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

10 (1) Clients age twenty-one and older who are receiving employment
11 services must be offered the choice to transition to a community
12 access program after nine months of enrollment in an employment
13 program, and the option to transition from a community access program
14 to an employment program at any time. Enrollment in an employment
15 program begins at the time the client is authorized to receive
16 employment.

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

1 (3) The department shall inform clients and their legal
2 representatives of all available options for employment and day
3 services, including the opportunity to request an exception from
4 enrollment in an employment program. Information provided to the
5 client and the client's legal representative must include the types
6 of activities each service option provides, and the amount, scope,
7 and duration of service for which the client would be eligible under
8 each service option. (~~An individual client may be authorized for
9 only one service option, either employment services or community
10 access services. Clients may not participate in more than one of
11 these services at any given time.~~)

12 (4) The department shall work with counties and stakeholders to
13 strengthen and expand the existing community access program,
14 including the consideration of options that allow for alternative
15 service settings outside of the client's residence. The program
16 should emphasize support for the clients so that they are able to
17 participate in activities that integrate them into their community
18 and support independent living and skills.

19 (5) The department shall pilot a program that allows clients to
20 be able to choose either a qualified home care agency subject to RCW
21 74.39A.325 and 74.39A.326 or individual provider to provide community
22 access services. This pilot must include at least two different pilot
23 sites that do not currently allow individual providers to provide
24 community access services, with one rural pilot site and one urban
25 pilot site. The department shall provide a report to the appropriate
26 committees of the legislature by December 31, 2016, with detailed
27 information regarding implementation of these pilots. At a minimum,
28 this report must include the number of individual home care agency
29 and individual providers who provided this service in the pilot
30 sites, the number of clients in the pilot sites accessing community
31 access services through individual providers, and a discussion of any
32 issues that would need to be addressed before statewide
33 implementation of these options.

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

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