

Joint Committee on Ways and Means

Carrier – House: Rep. Kotek
Carrier – Senate: Sen. Winters

Revenue: No revenue impact

Fiscal: No fiscal impact

Action: Do Pass the A-Engrossed Measure

Vote: 24 – 0 – 1

House

Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Richardson,
G. Smith, Thatcher, Whisnant

Nays:

Exc: Nolan

Senate

Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters

Nays:

Exc:

Prepared By: Sheila Baker, Legislative Fiscal Office

Meeting Date: June 8, 2011

WHAT THE MEASURE DOES: Updates terminology, definitions, eligibility criteria and service infrastructure for services to adults with developmental disabilities. Specifies obligation of Department of Human Services (DHS) to establish by rule the application and eligibility determination process for support services for adults with developmental disabilities. Codifies regional support service brokerage infrastructure and establishes requirements for individualized written service plan and client participation in choosing individual services, activities and purchases. Requires DHS to ensure that individuals have opportunity to confirm satisfaction with the support services that individual receives and make changes in services as necessary, and provides that individuals and family members have formal, significant, continuing advisory roles regarding the adult support services delivery system. Updates definitions of developmental disability and intellectual disability and replaces use of “mental retardation” throughout statutes.

ISSUES DISCUSSED:

- Staley settlement agreement history, entitlement to certain services under the agreement
- Creation of regional brokerages to provide adult support services
- Eligibility for services under Medicaid home and community-based care waiver, entitlement to institutional care
- Historical and forecast enrollment growth in adult support services
- Governor’s budget funding for adult support services

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Staley Agreement settled a class action lawsuit filed January 14, 2000 by Medicaid-eligible adults with developmental disabilities. The purpose of the suit was to eliminate a long-standing wait list for services for adults with developmental disabilities. The Staley Agreement entitled all eligible adults with developmental disabilities to a limited amount of adult support services within 90 days of application; created regional support service brokerages around the state to help individuals plan for their support needs and “broker” them with community-based services and supports; and provided comprehensive 24-hour services to a limited number of Medicaid-eligible adults with developmental disabilities. The agreement was originally slated to expire June 30, 2007, but was later extended until June 30, 2011.

Enrollment in support services for adults with developmental disabilities has grown from 1,328 individuals enrolled at June 30, 2002, to 7,659 individuals expected to be enrolled at June 30, 2011. Growth is projected at 5% a year during the 2011-13 biennium, with 8,440 individuals expected to be enrolled at June 30, 2013.