
HOUSE BILL 2080

State of Washington

68th Legislature

2024 Regular Session

By Representatives Leavitt and Taylor

Prefiled 01/02/24.

1 AN ACT Relating to establishing day habilitation services for
2 persons with developmental disabilities; and adding a new section to
3 chapter 71A.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 71A.12
6 RCW to read as follows:

7 (1) By October 1, 2024, the administration shall apply to the
8 centers for medicare and medicaid services for amendments to relevant
9 waivers to establish day habilitation as a stand-alone waiver
10 service.

11 (2) Once day habilitation is approved as a waiver service:

12 (a) Within 120 days of approval, the administration shall
13 directly contract with, pay, and manage day habilitation service
14 providers;

15 (b) Persons enrolled in eligible waivers who are participating in
16 day habilitation services must be provided a minimum of 20 hours of
17 paid day habilitation services per week. The minimum reimbursement
18 rate of day habilitation services must be \$35 per participant per
19 hour; and

20 (c) On an ongoing basis, the administration shall notify eligible
21 clients and their primary caregivers of the availability of day

1 habilitation services, its benefits, and contracted providers, and
2 offer the choice to participate in the services.

3 (3) Day habilitation is not considered a community access program
4 for purposes of RCW 71A.12.290, and day habilitation services may be
5 provided aside from, or simultaneously with, employment services and
6 respite services.

7 (4) For purposes of this section, "day habilitation" means the
8 provision of regularly scheduled activities in a nonresidential
9 setting, separate from the participant's private residence or other
10 residential living arrangement, such as assistance with acquisition,
11 retention, or improvement in self-help, socialization, and adaptive
12 skills that enhance social development and develop skills in
13 performing activities of daily living and community living.

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