
SUBSTITUTE HOUSE BILL 2363

State of Washington

63rd Legislature

2014 Regular Session

By House Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Muri, Seaquist, Zeiger, Morrell, Freeman, Christian, Kochmar, Dahlquist, and Appleton)

READ FIRST TIME 01/31/14.

1 AN ACT Relating to home and community-based services programs for
2 dependents of military service members; and adding a new section to
3 chapter 74.04 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 74.04 RCW
6 to read as follows:

7 (1) As used in this section:

8 (a) "Dependent" means a spouse, birth child, adopted child, or
9 stepchild of a military service member.

10 (b) "Legal resident" means a person who maintains Washington as his
11 or her principal establishment, home of record, or permanent home and
12 to where, whenever absent due to military obligation, he or she intends
13 to return.

14 (c) "Military service" means service in the armed forces, armed
15 forces reserves, or membership in the Washington national guard.

16 (d) "Military service member," for the purposes of this section, is
17 expanded to mean a person who is currently in military service or who
18 has separated from military service in the previous eighteen months
19 either through retirement or military separation.

1 (2) A dependent, who is a legal resident of the state, having
2 previously been determined to be eligible for developmental disability
3 services through the department, shall retain eligibility as long as he
4 or she remains a legal resident of the state regardless of having left
5 the state due to the military service member's military assignment
6 outside the state. If the state eligibility requirements change, the
7 dependent shall retain eligibility until new information is provided by
8 the dependent or military service member to the department.

9 (3) Upon assessment determination, the department shall direct that
10 services be provided consistent with Title 71A RCW and appropriate
11 rules if the dependent furnishes:

12 (a) A copy of the military service member's DD-214 or other
13 equivalent discharge paperwork; and

14 (b) Proof of the military service member's legal residence in the
15 state, as provided under RCW 46.16A.140.

16 (4) For dependents who received developmental disability services
17 and who left the state due to the military service member's military
18 assignment outside the state, upon the dependent's return to the state
19 and when a request for services is made, the department must:

20 (a) Determine eligibility for services which may include request
21 for waiver services;

22 (b) Provide notification for the service eligibility determination
23 which includes notification for denial of services; and

24 (c) Provide due process through the appeals processes established
25 by the department.

26 (5) To continue eligibility under subsection (2) of this section,
27 the dependent is required to inform the department of his or her
28 current address and provide updates as requested by the department.

29 (6) The secretary shall request a waiver from the appropriate
30 federal agency if it is necessary to implement the provisions of this
31 section.

32 (7) The department may adopt rules necessary to implement the
33 provisions of this section.

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