

**RCW 71A.16.050 Determination of eligibility—Assessment—**

**Determination of appropriate services—Availability of services.** The determination made under this chapter is only as to whether a person is eligible for services. After the secretary has determined under this chapter that a person is eligible for services, the individual may request an assessment for eligibility for medicaid programs and specific services administered by the developmental disabilities administration. The secretary shall make a determination as to what services are appropriate for the person. The secretary shall prioritize services to medicaid eligible clients. Services may be made available to nonmedicaid eligible clients based on available funding. Services available through the state medicaid plan must be provided to those individuals who meet the eligibility criteria. The department shall establish and maintain a service request list database for individuals who are found to be eligible and have an assessed and unmet need for programs and services offered under a home and community-based services waiver, but the provision of a specific service would exceed the biennially budgeted capacity. [2014 c 139 § 3; 1988 c 176 § 405.]

**Finding—Intent—2014 c 139:** "In conjunction with recent findings from the Washington state auditor's office, the legislature finds that there are thousands of state citizens who have been determined eligible for services through the department of social and health services' developmental disability administration. For those who have asked for help but are waiting for services, families may experience financial or emotional hardships. The legislature intends to clarify and make transparent the process for accessing publicly funded services for individuals with developmental disabilities and their families. The legislature intends to significantly reduce the number of eligible individuals who are waiting for services by funding additional slots and by implementing new programs that better utilize federal funding partnerships." [2014 c 139 § 1.]

**Program development—Implementation—2014 c 139:** "The department of social and health services shall develop and implement a medicaid program to replace the individual and family services program for medicaid-eligible clients no later than May 1, 2015. The new medicaid program must offer services that closely resemble the services offered in fiscal year 2014 through the individual and family services program. To the extent possible, the department shall expand the client caseload on the medicaid program replacing the individual and family services program. The department is authorized in fiscal year 2015 to use general fund—state dollars previously provided for the individual and family services program to cover the cost of increasing the number of clients served in the new medicaid program." [2014 c 139 § 4.]

**Program funding—2014 c 139:** "By June 30, 2017, if additional federal funds through the community first choice option are attained, then the department of social and health services shall increase the number served on the medicaid program replacing the individual and family services program by at least four thousand, and increase by at least one thousand clients receiving services on the home and community-based services basic plus waiver. For both of these programs, the department of social and health services shall expend

[expand] the client caseload beginning June 30, 2015." [2014 c 139 § 5.]