

Note: Governor's explanation of partial veto is as follows:

"...I am vetoing section 69.50.510 which pertains to recording of private communications and conversations. While a change in the law of this state with regard to wiretapping and the use of recording devices by law enforcement officers may be necessary, I am of the opinion that such changes must, in the interest of safeguarding the citizens right to privacy, be taken in the context of comprehensive revision with provisions for proper judicial supervision. The partial revision represented by this section can only delay and frustrate such efforts while opening the door to possible abuse.

Veto
Message

I have also vetoed section 69.50.511 which provides for immunity from prosecution for witnesses when such immunity is necessary in the enforcement of the Controlled Substances Act. Enactment of the new grand jury bill with its immunity provisions and its provision for inquiry judges will insure availability of immunity as a law enforcement tool in combating drug abuse. It would be unwise to jeopardize this tool through possible conflict of two bills dealing with the same subject."

CHAPTER 309

[Engrossed Substitute House Bill No. 915]

SOCIAL AND HEALTH SERVICES--

USE OF NONAPPROPRIATED FUNDS--

PURCHASE OF SERVICES

AN ACT Relating to social and health services; providing for the use of nonappropriated funds to improve such services; and adding new sections to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW.

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

NEW SECTION. Section 1. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

Notwithstanding any other provisions of law, the secretary of the department of social and health services is authorized to utilize nonappropriated funds made available to the department, in order to complement the social and health services programs of the department by purchase of services from public or nonprofit agencies. The

purpose of this authorization is to augment the services presently offered and to achieve pooling of public and nonprofit resources.

NEW SECTION. Sec. 2. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

After obtaining the review and advice of the governor's advisory committee on vendor rates, the secretary shall establish rates of payment for services which are to be purchased: PROVIDED, That the secretary shall afford all interested persons reasonable opportunity to submit data, views, or arguments, and shall consider fully all submissions respecting the proposed rates. Prior to the establishment of such rates, the secretary shall give at least twenty days notice of such intended action by mail to such persons or agencies as have made timely request of the secretary for advance notice of establishment of such vendor rates. Such rates shall not exceed the amounts reasonable and necessary to assure quality services and shall not exceed the costs reasonably assignable to such services pursuant to cost finding and monitoring procedures to be established by the secretary. Information to support such rates of payment shall be maintained in a form accessible to the public.

NEW SECTION. Sec. 3. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

In determining whether services should be purchased from other public or nonprofit agencies, the secretary shall consider:

(1) Whether the particular service or services is available or might be developed.

(2) The probability that program and workload performance standards will be met, by means of the services purchased.

(3) The availability of reasonably adequate cost finding and performance evaluation criteria.

Nothing in this act is to be construed to authorize reduction in state employment in service component areas presently rendering such services.

NEW SECTION. Sec. 4. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

When, pursuant to this act, the secretary elects to purchase a service or services, he shall retain continuing basic responsibility for:

(1) Determining the eligibility of individuals for services;

(2) The selection, quality, effectiveness, and execution of a plan or program of services suited to the need of an individual or of a group of individuals; and

(3) Measuring the cost effectiveness of purchase of services.

NEW SECTION. Sec. 5. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

The secretary shall work with the suppliers of purchased services by:

- (1) Providing consultation and technical assistance;
- (2) Monitoring and periodically reviewing services in order to assure satisfactory performance including adherence to state prescribed workload and quality standards; and
- (3) Developing new and more effective and efficient approaches to and methods of delivering services.

NEW SECTION. Sec. 6. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

The secretary shall assure that sources from which services are purchased are: (1) Licensed, or (2) meet applicable accrediting standards, or (3) in the absence of licensing or accrediting standards, meet standards or criteria established by the secretary to assure quality of service: PROVIDED, That this section shall not be deemed to dispense with any licensing or accrediting requirement imposed by any other provision of law, by any county or municipal ordinance, or by rule or regulation of any public agency.

NEW SECTION. Sec. 7. There is added to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW a new section to read as follows:

The secretary shall, if not otherwise prohibited by law, pursuant to agreement between the department and the agency in each contract, retain from such nonappropriated funds sufficient sums to pay for the department's administrative costs, monitoring and evaluating delivery of services, and such other costs as may be necessary to administer the department's responsibilities under this act.

Passed the House March 30, 1971.

Passed the Senate May 6, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.