

CHAPTER 321

[Second Substitute House Bill No. 251]

SENIOR CITIZENS—SERVICES—APPROPRIATION

AN ACT Relating to senior citizens; amending section 1, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.010; amending section 2, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.020; amending section 4, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.040; amending section 5, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.050; adding a new section to chapter 74.38 RCW; making an appropriation; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.010 are each amended to read as follows:

The legislature recognizes the need for the ~~((further))~~ development and expansion of alternative services and forms of care for senior citizens. ~~((These alternative forms should be developed to assure that senior citizens receive the level of care needed and that appropriate resources are available to match client needs. Furthermore,))~~ Such services ((received)) should be designed to restore individuals to, or maintain them at, the level of independent living they are capable of attaining. ((Such a system of alternative care should be designed to allow senior citizens to move within this system, thus allowing the appropriate services to be rendered according to the care needs.)) These alternative services and forms of care should be designed to both complement the present forms of institutional care and create a system whereby appropriate services can be rendered according to the care needs of an individual. The provision of service should continue until the client is able to function independently, moves to an institution, moves from the state, dies, or withdraws from the program.

~~((Therefore, the legislature deems it to be the public policy of this state that programs shall be developed in order to more appropriately meet the care needs of senior citizens through the creation and/or expansion of alternative care services and a resulting reduction in institutional care))~~ Therefore, it shall be the policy of this state to develop, expand, or maintain those programs which provide an alternative to institutional care when that form of care is premature, unnecessary, or inappropriate.

Sec. 2. Section 2, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.020 are each amended to read as follows:

As used in this chapter, the following words and phrases shall have the following meaning unless the content clearly requires otherwise:

(1) "Area agency" means an agency, other than a state agency, designated by the department to carry out programs or services approved by the department in a designated geographical area of the state.

(2) "Area plan" means the document submitted annually by an area agency to the department for approval which sets forth (a) goals and measurable objectives, (b) review of past expenditures and accounting of revenue for the previous year, (c)

estimated revenue and expenditures for the ensuing year, and (d) the planning, coordination, administration, social services, and evaluation activities to be undertaken to carry out the purposes of the Older Americans Act of 1965 (42 U.S.C. Sec. 3024 et. seq.), as now or hereafter amended.

(3) "Department" means the department of social and health services.

(4) "Office" shall mean the office on aging which is the organizational unit within the department responsible for coordinating and administering aging problems.

(5) "Eligible persons" means senior citizens who are:

(a) ~~Sixty-five~~ years of age or more (~~and are either (i) nonemployed, or (ii) employed for twenty hours per week or less~~); or

(b) ~~((Are sixty-five))~~ Sixty years (~~or more~~) of age or more and are either (i) nonemployed, or (ii) employed for twenty hours per week or less; and

(c) In need of services to enable them to remain in their customary homes because of physical, mental, or other debilitating impairments.

(6) "Low income" means initial resources or subsequent income at or below forty percent of the state median income as promulgated by the secretary of the United States department of health, education and welfare for Title XX of the Social Security Act, or, in the alternative, a level determined by the department and approved by the legislature.

(7) "Income" shall have the same meaning as RCW 74.04.005(12), as now or hereafter amended; except, that money received from RCW 74.38.060 shall be excluded from this definition.

(8) "Resource" shall have the same meaning as RCW 74.04.005(11), as now or hereafter amended.

(9) "Need" shall have the same meaning as RCW 74.04.005(13), as now or hereafter amended.

Sec. 3. Section 4, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.040 are each amended to read as follows:

The community based services for low income eligible persons provided by the department or the respective area agencies may include:

(1) Access services designed to provide identification of eligible persons, assessment of individual needs, reference to the appropriate service, and follow-up service where required. These services shall include information and referral, outreach, transportation and counseling;

(2) Day care offered on a regular, recurrent basis. General nursing, rehabilitation, personal care, nutritional services, social casework, mental health as provided pursuant to chapter 71.24 RCW and/or limited transportation services may be made available within this program;

(3) ~~((Night services offered on a regular, recurrent basis which provide therapeutic programs at other than regular working hours;~~

~~(4)))~~ In-home care for persons, including basic health care; performance of various household tasks and other necessary chores, or, a combination of these services;

~~((5)))~~ (4) Counseling on death for the terminally ill and care and attendance at the time of death; except, that this is not to include reimbursement for the use of life-sustaining mechanisms;

~~((6))~~ (5) Health services which will identify health needs and which are designed to avoid institutionalization; assist in securing admission to medical institutions or other health related facilities when required; and, assist in obtaining health services from public or private agencies or providers of health services. These services shall include ~~((periodic))~~ health screening and evaluation, in-home services, health education, and such health appliances which will further the independence and well-being of the person;

~~((7))~~ (6) The provision of low cost, nutritionally sound meals in central locations or in the person's home in the instance of incapacity. Also, supportive services may be provided in nutritional education, shopping assistance, diet counseling and other services to sustain the nutritional well-being of these persons;

~~((8))~~ (7) The provisions of services to maintain a person's home in a state of adequate repair, insofar as is possible, for their safety and comfort. These services shall be limited, but may include housing counseling, minor repair and maintenance, and moving assistance when such repair will not attain standards of health and safety, as determined by the department;

~~((9))~~ (8) Civil legal services, as limited by RCW 2.50.100, for counseling and representation in the areas of housing, consumer protection, public entitlements, property, and related fields of law.

~~((Sections 1 through 8 and section 10 of this act shall constitute a new chapter in Title 74 RCW and shall terminate January 1, 1978.))~~

Sec. 4. Section 5, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.050 are each amended to read as follows:

The services provided in RCW 74.38.040 may be provided to nonlow income eligible persons: PROVIDED, That volunteer workers and public assistant recipients shall be utilized to the maximum extent possible to provide the services provided in RCW 74.38.040: PROVIDED FURTHER, That when volunteer workers and public assistance recipients are not available, the department shall utilize the bid procedure pursuant to chapter 43.19 RCW for providing such services to low income and nonlow income persons whenever the services to be provided are available through private agencies at a cost savings to the department. The department shall establish a fee schedule based on the ability to pay and graduated to full recovery of the cost of the service provided; except, that nutritional services, health screening, and access services provided in RCW 74.38.040 shall not be based on need and no fee shall be charged.

NEW SECTION. Sec. 5. There is added to chapter 74.38 RCW a new section to read as follows:

The department may expand the foster grandparent, senior companion, and retired senior volunteer programs funded under the Federal Volunteer Agency (ACTION) (P.L. 93-113 Title II), or its successor agency, which provide senior citizens with volunteer stipends, out-of-pocket expenses, or wages to perform services in the community.

NEW SECTION. Sec. 6. There is hereby appropriated from the general fund for the 1977-79 biennium eleven million eight hundred twenty thousand dollars provided the amount appropriated from general fund—state shall not exceed nine million nine hundred forty thousand dollars, or as much thereof as may be

necessary, to carry out the provisions of this 1977 amendatory act: PROVIDED, That if federal funds become available to carry out the purposes of this 1977 amendatory act then state general fund moneys shall be conserved with federal funds.

NEW SECTION. Sec. 7. The provisions of this 1977 amendatory act shall terminate on June 30, 1979, unless otherwise provided by law.

NEW SECTION. Sec. 8. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House June 17, 1977.

Passed the Senate June 16, 1977.

Approved by the Governor June 30, 1977.

Filed in Office of Secretary of State June 30, 1977.

CHAPTER 322

[Substitute House Bill No. 312]

HIGHER EDUCATION—TUITION AND FEES

AN ACT Relating to tuition and fees of the state institutions of higher education; amending section 59, chapter 169, Laws of 1977 1st ex. sess. (presently uncodified); amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 36, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.100; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 37, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.380; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 22, chapter 279, Laws of 1971 ex. sess. as amended by section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; amending section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 78, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.40.361; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess., section 38, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.400; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; providing for the expiration of a section hereof; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. It is the intent of the legislature that amounts charged for general tuition and operating fees shall reflect the proportional operating cost of instruction at the state universities. It is the further intent of the legislature that such fees charged to undergraduate resident students at the state universities be not more than twenty-five percent of the cost of undergraduate university instruction, that such fees charged to undergraduate resident students at the regional universities and The Evergreen State College be not more than eighty percent of the total of general tuition and operating fees charged to state university undergraduate resident students and that such fees charged to undergraduate resident students at community colleges be not more than forty-five percent of the total of general tuition and operating fees charged to state university undergraduate resident students.