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February 9, 2010

Dear Senators:

I worked with Senator Ellen Craswell for the original passage of RCW 71A.10.050 and .080. SB 6423 and SSB 6780 would repeal these statutes which offer important protections for people with profound disabilities who now reside in Washington's Residential Habilitation Centers ("RHCs").

Currently, RHC residents who object to being discharged are afforded administrative hearing rights. These rights may be exercised by families and guardians. DSHS is required to prove that such a discharge is in the resident's best interests. Residents remain in their RHC home while the hearing process is pending.

RHCs are held to high standards of care and offer a full range of necessary services. Doctors, nurses, psychologists, speech pathologists, occupational and physical therapy specialists, dentists, pharmacists, and others who specialize in care for those with developmental disabilities, as well as direct care staff, are located on campus and are readily available to residents. This is critical for people with high care needs.


The bills would remove all five RHCs from RCW 71A. "Adequate care" would be substituted for the "best interests" of the residents in making discharge decisions. "Least restrictive environment" would be substituted for "most integrated," a step likely to prevent the resident from opting for RHC care. The medical and behavioral staff in RHCs would no longer be readily available to these profoundly disabled people.

None of these proposed revisions are in the "best interests" of the RHC residents. Washington has a constitutional mandate to foster and support RHCs in article XIII of our Constitution. These bills appear to be motivated not by any therapeutic interest, but by the most crass of concerns – finding some way to meet the budget deficit now facing state government. Making therapeutic policy in this setting will only guarantee adverse outcomes of the type recently documented in the *Seattle Times'* articles on the adult day care system.

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Please oppose SB6423 and SSB 6780 as they are contrary to the best interests of our most vulnerable citizens and contrary to state policy expressed article XIII of our state's Constitution.

Very truly yours,

A handwritten signature in cursive script that reads "Phil Talmadge". The signature is written in black ink and is positioned above the printed name.

Philip A. Talmadge