



DD Ombuds Background

The legislature created the Office of Developmental Disabilities Ombuds (DD Ombuds) in 2016 to address the high prevalence of abuse and neglect of people with developmental disabilities. 100% of Washington legislators voted YES to create the DD Ombuds and to give people with developmental disabilities access to more tools to protect themselves from harm.

HB 1651 Background

For two years, Legislators, the DD Ombuds, DDA clients, DDA and other stakeholders worked to develop the DDA Client Rights bill.

After many meetings, hearings and revisions, the DDA Client Rights bill became law in June 2020. Recognizing that the bill strengthens existing rights and provides people with necessary information to protect themselves from harm, 100% of Washington legislators voted YES for this too.

WAC Creation

After a bill becomes a law, the next step is to develop the Washington Administrative Code, sometimes called WACs, rules, or regulations. The DDA Client Rights bill requires that DSHS develop WACs for oversight and enforcement and to *inform* DDA clients and their service providers of the rights included the bill.

The WAC development process is public. The DDA client rights WACs should be developed with a targeted and deliberate person-centered approach using plain language so the resulting WACs are meaningful, understandable, and enforceable for DDA clients. However, as the first step in this public process, DDA has proposed WACs with only the exact language from the DDA Client Rights bill – saying they will not develop WAC's using plain language for fear it could change the meaning as intended by the legislature.

The DDA Client Rights bill specifies that the rights are just the minimal rights guaranteed to all clients and the intention of the legislation is not to diminish any

other rights. DDA is not prevented from making these rights more understandable, more enforceable, or giving DDA clients more protections from harm as the legislature recognized was needed. The point of WAC development is to ensure the law is implemented as intended.

Next steps for the WAC process

Prior to the next official step in the WAC development process (which is filing a CR-102 Proposed Rule-making notice), we propose that DDA reconsider their position and establish a plain language stakeholder group. This group would develop plain language WAC's that are strong and clear so that people with developmental disabilities have meaningful notice how to protect themselves from abuse and neglect as DDA clients, so DSHS can adequately provide oversight and enforce the rules, and so service providers have the necessary information to follow the rules as the legislature intended.

The following organizations request DDA to establish a plain language stakeholder group.

Ask

Allies in Advocacy

Etc.

Office of Developmental Disabilities Ombuds