

REPORT TO THE LEGISLATURE

**Options for Relocation
Fircrest School's Adult Training Program**

Substitute Senate Bill 5651 (Supplemental Capital Budget)
Chapter 296, Laws of 2022, Section 2004 (2)
67th Legislature, 2022 Regular Session

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Department of Social and Health Services
Olympia, WA
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Executive Summary

In Substitute Senate Bill 5651 (Supplemental Capital Budget), Chapter 296, Laws of 2022, Section 2004 (2), the Legislature included the following proviso relating to funding for renovations at Fircrest Residential Habilitation Center: “[t]he department must consider the proposal to redesign the facility as a short-term crisis stabilization and intervention when devising options for relocation of the adult training program and submit a report of these options to the legislature no later than December 1, 2022.”

Therapy and training are essential components of resident care at state Residential Habilitation Centers. Fircrest School in Shoreline, Washington, is one of four RHCs operated by the Washington State Department of Social and Health Services Developmental Disabilities Administration. The Fircrest campus Adult Training Program currently provides services to over 100 residents in six 1940’s era naval facilities. The physical infrastructure and fire suppression system is failing. Without major upgrades, the buildings are expected to be declared unfit for occupancy by the end of 2023. Continuing to provide services in these buildings is not cost or service effective.

DSHS has evaluated options to relocate the Adult Training Program and has considered, comprehensively, the proposal to create short-term crisis stabilization services at Fircrest and any effect it would have on program relocation options. Based upon a careful analysis of those options from both a programmatic and capital projects perspective, relocating Fircrest’s Adult Training Program to the currently vacant portion of the Activities Building (“Building 67”) results in a comprehensive training, therapy, activities, and recreation facility serving Fircrest clients for many years to come. Remodeling this space also provides the capacity to use the Activities space in the future for potential complimentary community purposes in supporting individuals with developmental disabilities.

Background and Context

In Washington, RHCs are state-operated institutions that provide eligible individuals with 24-hour supervision, skills development training, health services, therapies, and other supports. As a condition of being certified to receive federal Medicaid funding RHCs may be certified as an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID), as a Nursing Facility (NF), or both. There are four state operated RHCs: Fircrest in Shoreline (ICF/IID and NF), Rainier in Buckley (ICF/IID), Lakeland Village in Medical Lake (ICF/IID and NF) and Yakima Valley in Selah (NF).

Fircrest School is a 243-bed RHC providing support to about 192 people with intellectual and developmental disabilities (IDD). Located in Shoreline on the site of a former World War II navy hospital the program operates as both a NF and ICF/IID. The NF provides individualized health care and activities to people with medical needs. The ICF/IID provides active treatment and habilitative services that support and enhance individual skills and strengths.

Though many clients call Fircrest their home the purpose of active treatment and habilitative services is to help people develop the skills and independence necessary to live and thrive in the community.

Fircrest is one of three RHCs certified as an ICF/IID. Consistent with federal Medicaid requirements the Centers for Medicare and Medicaid Services has emphasized that ICF/IIDs, in addition to ensuring safety and well-being of residents, must actively prepare residents for integrating into the community in the future.¹ All Washington state ICF/IID employees receive appropriate training and support to engage individuals who reside there in continuous, aggressive active treatment. The Adult Training Program is an essential component of delivering active treatment services.

Adult Training Program at Fircrest

The Adult Training Program staff at Fircrest consists of a director, supervisor, four adult training specialist lead staff, and twenty-six adult training specialists. Programs are offered on-site Monday through Friday to approximately one hundred residents. Program topics include home economics, cooking, art, and “Get Your Move On” (a physical activity environment to provide exercise while working on gross motor skills as well as maintaining and encouraging range of motion). Also included is “Learn to Earn,” a vocational program to gain skills that are translatable to community employment. Examples of “Learn to Earn” activities include an on-campus coffee shop, campus delivery crew, recycle crew, and an Ecolab which helps to maintain hand sanitization supplies.

In addition to these programs, the Adult Program also works with the Department of Social and Health Services Division of Vocational Rehabilitation, King County’s Developmental Disabilities and Early Childhood Supports Division, and external employment providers to assist clients in gaining employment in the community. All programs are person-centered, and each individual participates in programs that best support their wants and needs.

The Fircrest Adult Training Program currently provides services in six connected wood-framed buildings originally constructed as a Navy hospital in the 1940s. The building wings are not arranged in a manner to facilitate the activities of the program, resulting in wasted space and program operation challenges. The Facility Condition Assessment consistently scores the building components and systems as poor and unsatisfactory.

¹ “The primary purpose of intermediate care facilities is to provide temporary habilitative services. Nursing facilities provide long-term nursing care, rehabilitative, and health care services.” See **DDA Policy 17.02**. Active treatment as defined in 42 C.F.R. 483.440(a)(1)(2), means a continuous program, which includes aggressive, consistent implementation of a program of specialized and generic training, treatment, health services and related services directed toward:

1. Acquiring the behaviors necessary for the client to function with as much self-determination and independence as possible; and
2. Preventing or slowing the regression or loss of optimal functional status.

Active treatment does not include services to maintain generally independent clients who are able to function with little supervision or in the absence of a continuous active treatment program.

The buildings show significant signs of structural distress, with steam lines that run through the asbestos-contaminated crawl space. The buildings have no mechanical ventilation system, no air-conditioning, and very limited temperature control systems. The exposure of crawl spaces to pests also creates potential health concerns. The Fire Marshal has cited the ATP Building for having an inadequate fire sprinkler system and has given Fircrest one year (by late 2023) to move out of the building or replace the entire fire sprinkler system.

Short-term Crisis Stabilization Consideration

In the 2021-23 capital budget, Section 2012, \$2,243,000 was appropriated under Fircrest School Nursing Facilities: Replacement project for the relocation of the Adult Training Program to a different location on the campus. Several design options were considered for the Adult Training Program, also accessible to individuals in the NF, with the remodel to the Fircrest Activities Building being the most desirable and feasible option. In its authorizing legislation, the Legislature included the following proviso: “[t]he department must consider the proposal to redesign the facility as a short-term crisis stabilization and intervention when devising options for relocation of the adult training program and submit a report of these options to the legislature no later than December 1, 2022.”²

In the 2019-21 operating budget, the Legislature required the Department of Social and Health Services to work with the William D. Ruckelshaus Center to facilitate a workgroup to discuss and make recommendations about appropriate levels of care for individuals receiving services at state RHCs. On Nov. 27, 2019, it published a report titled “Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers, and Improve Services (“Ruckelshaus Report”).”³

The 2019 Ruckelshaus Report included the following recommendations regarding state-operated nursing facilities:

- Continue to invest in state-operated nursing facilities.
- Rebuild the nursing facility at Fircrest.

² “Crisis stabilization means a direct service that assists with deescalating the severity of a person’s level of distress or need for urgent care intended to prevent a behavioral health crisis or reduce acute symptoms of mental illness.” (SAMHSA 2012) see also **Report to the Legislature on Crisis Stabilization Services**, Washington State Health Care Authority, Engrossed Substitute House Bill 1109, Section 215(38); Chapter 415; Laws of 2019 (December 1, 2019).

³ https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=Ruckelshaus%20Workgroup%202019%20DD-RHC%20Report%20to%20Legislature_d4838af6-7bf7-45f5-8416-f67a242b4f37.pdf

The Ruckelshaus Report included the following recommendations regarding redesigning Intermediate Care Facilities to function as short-term crisis stabilization and intervention facilities:

- Complete DDA assessments for ICF/IID clients at least annually.
- Clearly explain to ICF/IID clients and their families the temporary nature of ICF/IIDs.
- Expand the Family Mentor Project.
- Begin transition planning immediately.
- Establish transition teams.
- Leverage the resulting ICF/IID capacity to meet crisis stabilization needs.

For purposes of this report and the scope of our consideration of options for relocation of Fircrest’s Adult Training Program, the most relevant recommendation relates to leveraging existing ICF/IID capacity at Fircrest to meet crisis stabilization needs. The department has actively considered that Legislative focus in reviewing and analyzing the following options for relocation of the existing Adult Training Program at Fircrest.

Options Considered for Relocating the Adult Training Program

The options and recommendations for relocating the Fircrest Adult Training Program have been evaluated with Department of Social and Health Services Capital Program professionals, Developmental Disabilities Administration leadership, Fircrest management and leadership, as well as with Fircrest’s Adult Training Program staff management.

The options considered include the following:

1. Status Quo – Take No Action

This option maintains the status quo with client programs remaining in failing structures. This option disregards the Shoreline Fire Marshal's direction to significantly upgrade the existing buildings or face eviction in late 2023.⁴ The existing buildings have far outlived their original and secondary intended useful life. Doing nothing would also place the state at risk of non-compliance with federal Medicaid certification requirements as an Intermediate Care Facility if unable to provide the Adult Training Program to participants at Fircrest as part of their active treatment.

⁴ Upgrades to the fire sprinkler system alone would cost approximately \$1 million for the existing Adult Training Programs facilities and would not address any of the other building challenges and inadequacies.

2. Renovate Building 66 – (“The 200 Apartments”)

The 2020 Legislature appropriated \$1.5 million to begin the design effort to relocate the Adult Training Program to Building 66, a mostly vacant, three-story brick building originally constructed in 1972 for apartment living - commonly known as the 200 Apartments. Pre-design work determined remodeling Building 66 could not create cost effective and reasonable program delivery space. The building boiler, roof, lighting, electrical wiring, and elevators all require replacement. The compartmentalized concrete sections of each floor require full demolition. A full building restoration is estimated at \$30 million.

3. Install Modular Facilities

A schematic design effort was reviewed that would place eight modular office and classroom facilities on the concrete pad where the old laundry building once stood. Once a possible layout was designed and estimated, the cost of this option was more than \$5 million. The life cycle of the modular buildings is also relatively short, approximately 15 years. This is not a long-term solution. The master development plan designates the old laundry site for future residential cottage space. While this presents a lower cost option, the challenging location presents significant challenges for future site planning as well as campus access for individuals in wheelchairs and those currently using Adult Training Program services.

4. Renovate Existing Activities Building – Current DSHS Project Request

A schematic design effort proposed remodeling the currently vacant portion of the Activities Building for possible Adult Training Program operations. The vacant portion of the building contains an abandoned swimming pool, locker rooms, and some training rooms. The occupied portion of the building contains smaller activity rooms and a gymnasium. The schematic design effort resulted in a successful design where the remodel produced a long-term solution for relocating Adult Training Program operations. Although significant renovations are needed to ensure the current Activities Building provides appropriate programming space while meeting current code and regulatory constraints, this option has the best combination of attributes from a programmatic and capital facilities standpoint.⁵

DSHS requested additional funds in its 2023-2025 capital budget submittal to support the continued remodeling of the Activities Building for the Adult Training Program use. However, the project is not included in the Governor’s 2023-25 Capital Budget proposal. If this project is not funded in the 2023 session, DSHS may seek a 2024 Supplemental Capital Budget appropriation to continue this work.

⁵ “One of the most attractive elements of the Fircrest campus in regards to programming is the Adult Training Program (ATP) building. While this building has fulfilled its useful lifespan, a similar building could be constructed that provides programming for residents as well as vocational training for nonresidents in the Shoreline community. ADA and safety improvements should be made to the courtyard and trails to allow residents to fully take advantage of the campus and the natural beauty that this wooded site has to offer.” **Fircrest 2017 Master Plan**, at 11 (Objective E - Provide flexible site programming).

The project, if approved and funded, includes the following work:

- Demolish interior finishes, selected non-structural walls, and obsolete building systems.
- Level floor of pool area and construct training classrooms.
- Open-up old locker room areas to construct individual bathrooms, training, and staff space.
- Demolish selected structural walls to open-up the space and install new structural supports.
- Build out new, fully accessible spaces specifically designed for this program.
- Replace single-pane windows and repair current roof.
- Replace all interior plumbing, wiring, and fire alarm and fire sprinkler systems to meet current codes.
- Upgrade fire detection/suppression throughout the building.
- Install new energy efficient HVAC.
- Install selected exterior and site improvements.

The proposed remodel in The Activities Building provides improved training program opportunities for 110 residents and the 30 staff working in the program. These facilities will provide the living skills training and coaching to allow residents to improve cognitive skills and possibly return to a more community setting.

Modern construction techniques will reduce utility costs, promote staff efficiencies, and provide usable spaces for multiple uses. The relocation and closing of the existing Adult Training Program buildings will result in energy savings. Moving out of and demolishing the existing Adult Training Program buildings provides additional the space to construct future service buildings as outlined in the master development plan.

This option also most closely supports the Department of Social and Health Services 2023-25 strategic priorities and action plans.

- Support people in our care and custody.
- Serve people in their home community.
- Provide a pathway out of poverty and become healthier.
- Prepare for aging Washingtonians.
- Increase organizational efficiency, performance, and effectiveness.

This project option also supports the strategic objectives of the DSHS Developmental Disabilities Administration, including ensuring that services and supports provided to clients in certified residential settings meet regulatory requirements and quality of care standards, and by continuing to meet the requirements of the Centers for Medicare & Medicaid Services for certification and receipt of federal funding.

The Fircrest Activities Building: Potential Future Uses for Short-Term Crisis Stabilization and Respite purposes

Finally in considering potential future uses on the Fircrest campus, including use for short-term crisis stabilization, the capability to provide Adult Training Program services in a building appropriate to individuals' needs is paramount and consistent with legislative goals. The Fircrest Activities Building is well suited with easy access for individuals coming from off campus to receive Adult Training Program services. The potential to use the Adult Training Program for individuals located on campus for short-term crisis stabilization as well as potential community-based uses for individuals with developmental disabilities is equally supportive of strategic priorities of the Department of Social and Health Services in transforming lives of those we serve.

States are permitted by the federal Centers for Medicare & Medicaid to utilize institutional settings, including Intermediate Care Facilities and Nursing Facilities, for Home & Community Based Services waiver respite care for individuals who reside in the community.⁶ In 2015, the Washington State Legislature passed ESSB 6952 which funded eight community-based respite beds across the state. DDA began providing Overnight Planned Respite Services in January 2016.

Overnight Planned Respite Services provides access to short-term respite by a DDA contracted and certified provider and is available to all eligible DDA clients over age 18. These services provide families and caregivers with relief from caregiving duties and create additional capacity to serve the short-term needs of adults with developmental disabilities.

There is a recognized ongoing need for families to have access to overnight respite services in their communities where the majority of DDA clients live and are supported by their families. Some families utilize RHCs such as Fircrest for respite care; however, the number of beds to provide respite in those settings is limited.⁷

In the future, should Fircrest's current ICF/IID census be reduced, the use of available residential spaces for more individuals to use for short-term overnight respite is also complimentary to the consolidation of Adult Training Program at the Fircrest Activities Building. The centralization of programs, and updated accommodations and features relating to use, would afford Adult Training Program access for individuals residing at Fircrest short-term via Overnight Planned Respite Services.

⁶ "Respite care can be provided in the following locations ... (f) Adult residential rehabilitation center..." **See Washington State Application for 1915(c) HCBS Waiver:** WA.1186.R01.09 - Sep 01, 2022, Page 66 of 646.

⁷ See **DSHS/DDA Report to the Legislature "Community Respite Services for Adults,"** January 1, 2023, RE: Engrossed Substitute Senate Bill 5092, Chapter 334, Laws of 2021 (partial veto) 66th Legislature 2021 Regular session, Section 203(1)(t).

Summary

The Fircrest School RHC continues to provide critically needed and essential services to support individuals with developmental disabilities at both the intermediate care and nursing facilities located onsite. The Department of Social and Health Services Developmental Disabilities Administration continues to follow the recommendations of the 2019 Ruckelshaus Report as implemented in subsequent legislation to enhance community housing options and to support greater transitions to the community.

This project allows for the department to relocate and continue providing the Adult Training Program in an existing building at Fircrest, the Activities Building, that is best suited for that purpose. As a result, Fircrest could continue to provide comprehensive Adult Training as designed for each individual resident in a setting conducive to their needs. This request is also a more cost-effective medium and long-term solution despite renovations being necessary.

Active treatment remains a critically important federal Medicaid requirement for ICF/IIDs to provide to individuals who reside and receive services there. The Adult Training Programs at Fircrest support the learning and development of new skills to enhance the lives of the clients that currently receive services there. These programs are in place to allow clients to acquire more independence in their lives so that they may move to a less restrictive environment. The result of moving forward with the relocation of the Fircrest Adult Training Program to the Activities Building will be a comprehensive training, therapy, activities, and recreation facility serving individuals with developmental disabilities for many years to come. Additionally, the potential to use the remodeled building to provide Adult Training Programs for individuals with developmental disabilities residing in the community further supports the option proposed for additional legislative funding to support the construction effort.