

SHB 1233 - S AMD 434  
By Senator Stevens

ADOPTED 04/25/2003

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW  
4 to read as follows:

5 (1) For the purposes of this section, "kin" means persons eighteen  
6 years of age or older to whom the child is related by blood, adoption,  
7 or marriage, including marriages that have been dissolved, and means:  
8 (a) Any person denoted by the prefix "grand" or "great"; (b) sibling,  
9 whether full, half, or step; (c) uncle or aunt; (d) nephew or niece; or  
10 (e) first cousin.

11 (2) The department shall plan, design, and implement strategies to  
12 prioritize the placement of children with willing and able kin when  
13 out-of-home placement is required.

14 These strategies must include at least the following:

15 (a) Development of standardized, statewide procedures to be used  
16 when searching for kin of children prior to out-of-home placement. The  
17 procedures must include a requirement that documentation be maintained  
18 in the child's case record that identifies kin, and documentation that  
19 identifies the assessment criteria and procedures that were followed  
20 during all kin searches. The procedures must be used when a child is  
21 placed in out-of-home care under authority of chapter 13.34 RCW, when  
22 a petition is filed under RCW 13.32A.140, or when a child is placed  
23 under a voluntary placement agreement. To assist with implementation  
24 of the procedures, the department shall request that the juvenile court  
25 require parents to disclose to the department all contact information  
26 for available and appropriate kin within two weeks of an entered order.  
27 For placements under signed voluntary agreements, the department shall  
28 encourage the parents to disclose to the department all contact  
29 information for available and appropriate kin within two weeks of the  
30 date the parent signs the voluntary placement agreement.

1 (b) Development of procedures for conducting active outreach  
2 efforts to identify and locate kin during all searches. The procedures  
3 must include at least the following elements:

4 (i) Reasonable efforts to interview known kin, friends, teachers,  
5 and other identified community members who may have knowledge of the  
6 child's kin, within sixty days of the child entering out-of-home care;

7 (ii) Increased use of those procedures determined by research to be  
8 the most effective methods of promoting reunification efforts,  
9 permanency planning, and placement decisions;

10 (iii) Contacts with kin identified through outreach efforts and  
11 interviews under this subsection as part of permanency planning  
12 activities and change of placement discussions;

13 (iv) Establishment of a process for ongoing contact with kin who  
14 express interest in being considered as a placement resource for the  
15 child; and

16 (v) A requirement that when the decision is made to not place the  
17 child with any kin, the department provides documentation as part of  
18 the child's individual service and safety plan that clearly identifies  
19 the rationale for the decision and corrective action or actions the kin  
20 must take to be considered as a viable placement option.

21 (3) Nothing in this section shall be construed to create an  
22 entitlement to services or to create judicial authority to order the  
23 provision of services to any person or family if the services are  
24 unavailable or unsuitable or the child or family is not eligible for  
25 such services.

26 NEW SECTION. **Sec. 2.** (1) The department of social and health  
27 services shall collaborate with one or more nonprofit community-based  
28 agencies to develop a grant proposal for submission to potential  
29 funding sources, including governmental entities and private  
30 foundations, to establish a minimum of two pilot projects to assist  
31 kinship caregivers with understanding and navigating the system of  
32 services for children in out-of-home care. The proposal must seek to  
33 establish at least one project in eastern Washington and one project in  
34 western Washington, each project to be managed by a participating  
35 community-based agency.

1 (2) The kinship care navigators funded through the proposal shall  
2 be responsible for at least the following:

3 (a) Understanding the various state agency systems serving kinship  
4 caregivers;

5 (b) Working in partnership with local community service providers;

6 (c) Tracking trends, concerns, and other factors related to kinship  
7 caregivers; and

8 (d) Assisting in establishing stable, respectful relationships  
9 between kinship caregivers and department staff.

10 (3) Implementation of the kinship care navigator pilot projects is  
11 contingent upon receipt of nonstate or private funding for that  
12 purpose.

13 (4) For the purposes of this section, "kinship" has the same  
14 meaning as "kin" given in section 1(1) of this act.

15 (5) This section expires January 1, 2007.

16 NEW SECTION. **Sec. 3.** (1) The department of social and health  
17 services shall report to the legislature and the governor on the  
18 implementation of the kinship care navigator pilot projects with  
19 recommendations on statewide implementation of the pilot projects one  
20 year following implementation of the pilot projects. The report shall:  
21 Include data that demonstrates whether the pilot project reduced actual  
22 barriers to access to services; identify statutory and administrative  
23 barriers for kin who give care; and recommend ways to reduce or  
24 eliminate the barriers without adverse consequences to children placed  
25 with kin.

26 (2) This section expires January 1, 2007.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.13 RCW  
28 to read as follows:

29 (1) Within existing resources, the department shall establish an  
30 oversight committee to monitor, guide, and report on kinship care  
31 recommendations and implementation activities. The committee shall:

32 (a) Draft a kinship care definition that is restricted to persons  
33 related by blood or marriage, including marriages that have been  
34 dissolved, or for a minor defined as an "Indian child" under the  
35 federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the

1 definition of "extended family member" under the federal Indian child  
2 welfare act, and a set of principles. If the committee concludes that  
3 one or more program or service would be more efficiently and  
4 effectively delivered under a different definition of kin, it shall  
5 state what definition is needed, and identify the program or service in  
6 the report. It shall also provide evidence of how the program or  
7 service will be more efficiently and effectively delivered under the  
8 different definition. The department shall not adopt rules or policies  
9 changing the definition of kin without authorizing legislation;

10 (b) Monitor the implementation of recommendations contained in the  
11 2002 kinship care report;

12 (c) Partner with nonprofit organizations and private sector  
13 businesses to guide a public education awareness campaign; and

14 (d) Assist with developing future recommendations on kinship care  
15 issues.

16 (2) The oversight committee must consist of a minimum of thirty  
17 percent kinship caregivers, who shall represent a diversity of kinship  
18 families. Statewide representation with geographic, ethnic, and gender  
19 diversity is required. Other members shall include representatives of  
20 the department, representatives of relevant state agencies,  
21 representatives of the private nonprofit and business sectors, child  
22 advocates, representatives of Washington state Indian tribes as defined  
23 under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and  
24 representatives of the legal or judicial field. Birth parents, foster  
25 parents, and others who have an interest in these issues may also be  
26 included.

27 (3) To the extent funding is available, the department may  
28 reimburse nondepartmental members of the oversight committee for costs  
29 incurred in participating in the meetings of the oversight committee.

30 (4) The kinship care oversight committee shall report to the  
31 legislature and the governor on the status of kinship care issues by  
32 December 1, 2004.

33 (5) This section expires January 1, 2005."

**ADOPTED 04/25/2003**

1        On page 1, line 1 of the title, after "caregivers;" strike the  
2 remainder of the title and insert "adding new sections to chapter 74.13  
3 RCW; creating new sections; and providing expiration dates."

EFFECT:       Clarifies definition of "kin" and limits it to persons  
related by blood, adoption, or marriage.

**--- END ---**