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HOUSE BILL 1965

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State of Washington

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2011 Regular Session

By Representatives Kagi, Jenkins, Frockt, and Kenney

Read first time 02/15/11. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to public and private partnership in addressing  
2 adverse childhood experiences; amending RCW 70.190.040, 43.121.100,  
3 43.215.146, 43.215.147, 13.40.462, 43.70.555, 74.14A.060, and  
4 74.14C.050; adding a new section to chapter 28A.300 RCW; adding a new  
5 chapter to Title 70 RCW; recodifying RCW 70.190.040; repealing RCW  
6 43.121.010, 43.121.015, 43.121.020, 43.121.030, 43.121.040, 43.121.050,  
7 43.121.060, 43.121.070, 43.121.080, 43.121.110, 43.121.120, 43.121.130,  
8 43.121.140, 43.121.150, 43.121.160, 43.121.910, 70.190.005, 70.190.010,  
9 70.190.020, 70.190.100, 70.190.110, 70.190.120, 70.190.130, 70.190.150,  
10 and 70.190.920; and providing effective dates.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

12 NEW SECTION. **Sec. 1.** The legislature finds that adverse childhood  
13 experiences are a powerful common determinate of a child's ability as  
14 an adult to be safe, successful at school, successful at work, and to  
15 avoid behavioral and chronic physical health conditions. The purpose  
16 of this chapter is, through the development of a public-private  
17 partnership and in collaboration with community leadership, to identify  
18 the primary causes of adverse childhood experiences in communities and  
19 to mobilize broad public and private support to prevent harm to young

1 children. A reduction in adverse childhood experiences is sought  
2 through a focused effort to identify and utilize evidence-based and  
3 research-based approaches and practices for prevention and intervention  
4 for children who are at risk of adverse experiences in their first five  
5 years of life.

6 NEW SECTION. **Sec. 2.** The definitions in this section apply  
7 throughout this chapter unless the context clearly requires otherwise.

8 (1) "Department" means the department of social and health  
9 services.

10 (2) "Evidence-based" has the same meaning as in RCW 43.215.146.

11 (3) "Research-based" has the same meaning as in RCW 43.215.146.

12 (4) "Secretary" means the secretary of social and health services.

13 NEW SECTION. **Sec. 3.** (1) A nongovernmental private-public  
14 partnership is created that shall focus on reducing the prevalence of  
15 adverse childhood experiences and their enduring effects. The  
16 private-public partnership is formed to align the interests of various  
17 community-based organizations around a common goal of reducing the  
18 prevalence of adverse childhood experiences while providing the  
19 flexibility for communities to devise their own strategies and  
20 approaches to achieve the reduction.

21 (2) The private-public partnership shall develop a method for  
22 distributing funds to community organizations that reflects locally  
23 established strategies for the reduction of adverse childhood  
24 experiences. The method for distributing funds must be based upon data  
25 indicating areas of need and the use of evidence-based and research-  
26 based strategies to address those needs.

27 (3) In addition to other powers granted to the secretary, the  
28 secretary may:

29 (a) Enter into contracts on behalf of the department to carry out  
30 the purposes of this chapter;

31 (b) Provide funding to the private-public partnerships; and

32 (c) Accept gifts, grants, or other funds for the purposes of this  
33 chapter.

34 **Sec. 4.** RCW 70.190.040 and 1993 c 336 s 901 are each amended to  
35 read as follows:

1 (1) The legislature finds that helping children to arrive at school  
2 ready to learn is an important part of improving student learning.

3 (2) To the extent funds are appropriated, the (~~family policy~~  
4 ~~council~~) superintendent of public instruction shall award grants to  
5 community-based consortiums that submit comprehensive plans that  
6 include strategies to improve readiness to learn.

7 NEW SECTION. Sec. 5. The following acts or parts of acts, as now  
8 existing or hereafter amended, are each repealed, effective June 30,  
9 2012:

10 (1) RCW 43.121.010 (Legislative declaration, intent) and 1982 c 4  
11 s 1;

12 (2) RCW 43.121.015 (Definitions) and 2008 c 152 s 8, 1988 c 278 s  
13 4, & 1987 c 351 s 2;

14 (3) RCW 43.121.020 (Council established--Members, chairperson--  
15 Appointment, qualifications, terms, vacancies) and 2008 c 152 s 7, 2007  
16 c 144 s 1, 1996 c 10 s 1, 1994 c 48 s 1, 1989 c 304 s 4, 1987 c 351 s  
17 3, 1984 c 261 s 1, & 1982 c 4 s 2;

18 (4) RCW 43.121.030 (Compensation and travel expenses of members)  
19 and 1984 c 287 s 87 & 1982 c 4 s 3;

20 (5) RCW 43.121.040 (Executive director, salary--Staff) and 1982 c  
21 4 s 4;

22 (6) RCW 43.121.050 (Council powers and duties--Generally--Rules)  
23 and 1988 c 278 s 5, 1987 c 351 s 4, & 1982 c 4 s 5;

24 (7) RCW 43.121.060 (Contracts for services--Scope of programs--  
25 Funding) and 1982 c 4 s 6;

26 (8) RCW 43.121.070 (Contracts for services--Factors in awarding)  
27 and 1982 c 4 s 7;

28 (9) RCW 43.121.080 (Contracts for services--Partial funding by  
29 administering organization, what constitutes) and 1982 c 4 s 8;

30 (10) RCW 43.121.110 (Parenting skills--Legislative findings) and  
31 1988 c 278 s 1;

32 (11) RCW 43.121.120 (Community-based early parenting skills  
33 programs--Funding) and 1988 c 278 s 2;

34 (12) RCW 43.121.130 (Decreased state funding of parenting skills  
35 programs--Evaluation) and 1998 c 245 s 48 & 1988 c 278 s 3;

36 (13) RCW 43.121.140 (Shaken baby syndrome--Outreach campaign) and  
37 1993 c 107 s 2;

1 (14) RCW 43.121.150 (Juvenile crime--Legislative findings) and 1997  
2 c 338 s 56;

3 (15) RCW 43.121.160 (Postpartum depression--Public information and  
4 communication outreach campaign) and 2005 c 347 s 2; and

5 (16) RCW 43.121.910 (Severability--1982 c 4) and 1982 c 4 s 15.

6 **Sec. 6.** RCW 43.121.100 and 2005 c 53 s 4 are each amended to read  
7 as follows:

8 ((~~The council may accept~~)) Contributions, grants, or gifts in cash  
9 or otherwise, including funds generated by the sale of "heirloom" birth  
10 certificates under chapter 70.58 RCW from persons, associations, or  
11 corporations and funds generated through the issuance of the "Keep Kids  
12 Safe" license plate under chapter ((~~46.16~~)) 46.18 RCW((~~.—All moneys~~  
13 ~~received by the council or any employee thereof from contributions,~~  
14 ~~grants, or gifts~~)) and not funds through appropriation by the  
15 legislature shall be deposited in a depository approved by the state  
16 treasurer to be known as the children's trust fund. Disbursements of  
17 such funds shall be on the authorization of the ((~~council or a duly~~  
18 ~~authorized representative thereof and only for the purposes stated in~~  
19 ~~RCW 43.121.050~~)) secretary of the department of social and health  
20 services or the secretary's designee. In order to maintain an  
21 effective expenditure and revenue control, such funds shall be subject  
22 in all respects to chapter 43.88 RCW, but no appropriation shall be  
23 required to permit expenditure of such funds.

24 **Sec. 7.** RCW 43.215.146 and 2007 c 466 s 2 are each amended to read  
25 as follows:

26 The definitions in this section apply throughout this section and  
27 RCW ((~~43.121.170 through~~)) 43.215.145, 43.215.147, and 43.121.185  
28 unless the context clearly requires otherwise.

29 (1) "Evidence-based" means a program or practice that has had  
30 multiple site random controlled trials across heterogeneous populations  
31 demonstrating that the program or practice is effective for the  
32 population.

33 (2) "Home visitation" means providing services in the permanent or  
34 temporary residence, or in other familiar surroundings, of the family  
35 receiving such services.

1 (3) "Research-based" means a program or practice that has some  
2 research demonstrating effectiveness, but that does not yet meet the  
3 standard of evidence-based practices.

4 **Sec. 8.** RCW 43.215.147 and 2008 c 152 s 6 are each amended to read  
5 as follows:

6 (1) Within available funds, the (~~council for children and~~  
7 ~~families~~) department shall fund evidence-based and research-based home  
8 visitation programs for improving parenting skills and outcomes for  
9 children. Home visitation programs must be voluntary and must address  
10 the needs of families to alleviate the effect on child development of  
11 factors such as poverty, single parenthood, parental unemployment or  
12 underemployment, parental disability, or parental lack of high school  
13 diploma, which research shows are risk factors for child abuse and  
14 neglect and poor educational outcomes.

15 (2) The (~~council for children and families shall develop a plan~~)  
16 department shall work with the department of social and health  
17 services(~~(,)~~) and the department of health(~~(, the department of early~~  
18 ~~learning, and the family policy council)~~) to develop a plan to  
19 coordinate or consolidate home visitation services for children and  
20 families (~~and report to the appropriate committees of the legislature~~  
21 ~~by December 1, 2007, with their recommendations for implementation of~~  
22 ~~the plan~~) to the extent practicable.

23 **Sec. 9.** RCW 13.40.462 and 2006 c 304 s 2 are each amended to read  
24 as follows:

25 (1) The department of social and health services juvenile  
26 rehabilitation administration shall establish a reinvesting in youth  
27 program that awards grants to counties for implementing research-based  
28 early intervention services that target juvenile justice-involved youth  
29 and reduce crime, subject to the availability of amounts appropriated  
30 for this specific purpose.

31 (2) Effective July 1, 2007, any county or group of counties may  
32 apply for participation in the reinvesting in youth program.

33 (3) Counties that participate in the reinvesting in youth program  
34 shall have a portion of their costs of serving youth through the  
35 research-based intervention service models paid for with moneys from  
36 the reinvesting in youth account established pursuant to RCW 13.40.466.

1 (4) The department of social and health services juvenile  
2 rehabilitation administration shall review county applications for  
3 funding through the reinvesting in youth program and shall select the  
4 counties that will be awarded grants with funds appropriated to  
5 implement this program. The department, in consultation with the  
6 Washington state institute for public policy, shall develop guidelines  
7 to determine which counties will be awarded funding in accordance with  
8 the reinvesting in youth program. At a minimum, counties must meet the  
9 following criteria in order to participate in the reinvesting in youth  
10 program:

11 (a) Counties must match state moneys awarded for research-based  
12 early intervention services with nonstate resources that are at least  
13 proportional to the expected local government share of state and local  
14 government cost avoidance that would result from the implementation of  
15 such services;

16 (b) Counties must demonstrate that state funds allocated pursuant  
17 to this section are used only for the intervention service models  
18 authorized pursuant to RCW 13.40.464;

19 (c) Counties must participate fully in the state quality assurance  
20 program established in RCW 13.40.468 to ensure fidelity of program  
21 implementation. If no state quality assurance program is in effect for  
22 a particular selected research-based service, the county must submit a  
23 quality assurance plan for state approval with its grant application.  
24 Failure to demonstrate continuing compliance with quality assurance  
25 plans shall be grounds for termination of state funding; and

26 (d) Counties that submit joint applications must submit for  
27 approval by the department of social and health services juvenile  
28 rehabilitation administration multicounty plans for efficient program  
29 delivery.

30 ~~((5) The department of social and health services juvenile  
31 rehabilitation administration shall convene a technical advisory  
32 committee comprised of representatives from the house of  
33 representatives, the senate, the governor's office of financial  
34 management, the department of social and health services juvenile  
35 rehabilitation administration, the family policy council, the juvenile  
36 court administrator's association, and the Washington association of  
37 counties to assist in the implementation of chapter 304, Laws of  
38 2006.))~~

1       **Sec. 10.** RCW 43.70.555 and 1998 c 245 s 77 are each amended to  
2 read as follows:

3       The department(~~(, in consultation with the family policy council~~  
4 ~~created in chapter 70.190 RCW,)) shall establish, by rule, standards~~  
5 for local health departments and networks to use in assessment,  
6 performance measurement, policy development, and assurance regarding  
7 social development to prevent health problems caused by risk factors  
8 empirically linked to: Violent criminal acts by juveniles, teen  
9 substance abuse, teen pregnancy and male parentage, teen suicide  
10 attempts, dropping out of school, child abuse or neglect, and domestic  
11 violence. The standards shall be based on the standards set forth in  
12 the public health services improvement plan as required by RCW  
13 43.70.550.

14       NEW SECTION. **Sec. 11.** The following acts or parts of acts, as now  
15 existing or hereafter amended, are each repealed, effective June 30,  
16 2012:

17       (1) RCW 70.190.005 (Purpose) and 1994 sp.s. c 7 s 301 & 1992 c 198  
18 s 1;

19       (2) RCW 70.190.010 (Definitions) and 2009 c 565 s 52, 2009 c 479 s  
20 58, 1996 c 132 s 2, 1995 c 399 s 200, & 1992 c 198 s 3;

21       (3) RCW 70.190.020 (Consolidate efforts of existing entities) and  
22 1994 sp.s. c 7 s 315 & 1992 c 198 s 4;

23       (4) RCW 70.190.100 (Duties of council) and 2009 c 479 s 59, 1998 c  
24 245 s 123, & 1994 sp.s. c 7 s 307;

25       (5) RCW 70.190.110 (Program review) and 1998 c 245 s 124 & 1994  
26 sp.s. c 7 s 308;

27       (6) RCW 70.190.120 (Interagency agreement) and 1994 sp.s. c 7 s  
28 309;

29       (7) RCW 70.190.130 (Comprehensive plan--Approval process--Network  
30 expenditures--Penalty for noncompliance with chapter) and 1998 c 314 s  
31 13, 1996 c 132 s 8, & 1994 sp.s. c 7 s 310;

32       (8) RCW 70.190.150 (Federal restrictions on funds transfers,  
33 waivers) and 1994 sp.s. c 7 s 312; and

34       (9) RCW 70.190.920 (Effective date--1992 c 198) and 1992 c 198 s  
35 21.

1           **Sec. 12.** RCW 74.14A.060 and 2000 c 219 s 2 are each amended to  
2 read as follows:

3           The secretary of the department of social and health services shall  
4 charge appropriated funds to support blended funding projects for youth  
5 subject to any current or future waiver the department receives to the  
6 requirements of IV-E funding. To be eligible for blended funding a  
7 child must be eligible for services designed to address a behavioral,  
8 mental, emotional, or substance abuse issue from the department of  
9 social and health services and require services from more than one  
10 categorical service delivery system. ~~((Before any blended funding  
11 project is established by the secretary, any entity or person proposing  
12 the project shall seek input from the public health and safety network  
13 or networks established in the catchment area of the project. The  
14 network or networks shall submit recommendations on the blended funding  
15 project to the family policy council. The family policy council shall  
16 advise the secretary whether to approve the proposed blended funding  
17 project. The network shall review the proposed blended funding project  
18 pursuant to its authority to examine the decategorization of program  
19 funds under RCW 70.190.110, within the current appropriation level.))~~  
20 The department shall document the number of children who participate in  
21 blended funding projects, the total blended funding amounts per child,  
22 the amount charged to each appropriation by program, and services  
23 provided to each child through each blended funding project and report  
24 this information to the appropriate committees of the legislature by  
25 December 1st of each year, beginning in December 1, 2000.

26           **Sec. 13.** RCW 74.14C.050 and 1995 c 311 s 9 are each amended to  
27 read as follows:

28           By December 1, 1995, the department, with the assistance of ~~((the  
29 family policy council,))~~ two urban and two rural public health and  
30 safety networks to be chosen by the ~~((family policy council,))~~  
31 secretary and two private, nonprofit agencies with expertise and  
32 experience in preservation services, shall submit to the legislature an  
33 implementation and evaluation plan that identifies:

34           (1) A valid and reliable process that can be used by caseworkers  
35 for accurately identifying clients who are eligible for intensive  
36 family preservation services and family preservation services. The

1 plan shall recognize the due process rights of families that receive  
2 preservation services and recognize that family preservation services  
3 are not intended to be investigative for purposes of chapter 13.34 RCW;

4 (2) Necessary data by which program success will be measured,  
5 projections of service needs, budget requests, and long-range planning;

6 (3) Regional and statewide projections of service needs;

7 (4) A cost estimate for statewide implementation and expansion of  
8 preservation services on a phased-in basis beginning no later than July  
9 1, 1996;

10 (5) A plan and time frame for phased-in implementation of  
11 preservation services on a statewide basis to be accomplished as soon  
12 as possible but no later than July 1, 1997;

13 (6) Data regarding the number of children in foster care, group  
14 care, institutional placements, and other out-of-home placements due to  
15 medical needs, mental health needs, developmental disabilities, and  
16 juvenile offenses, and an assessment of the feasibility of providing  
17 preservation services to include all of these children;

18 (7) Standards and outcome measures for the department when the  
19 department provides preservation services directly; and

20 (8) A process to assess outcome measures identified in RCW  
21 74.14C.030 for contractors providing preservation services.

22 NEW SECTION. **Sec. 14.** RCW 70.190.040 is recodified as a section  
23 in chapter 28A.300 RCW.

24 NEW SECTION. **Sec. 15.** Sections 1 through 3 of this act constitute  
25 a new chapter in Title 70 RCW.

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