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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: H-5005.1/92

ATTY/TYPIST: SCG:cls

BRIEF TITLE:

2 SSB 6428 - H COMM AMD  
3 By Committee on Human Services

4  
5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. Sec. 1. The legislature finds that a primary  
8 goal of public involvement in the lives of children has been to  
9 strengthen the family unit.

10 However, the legislature recognizes that traditional two-parent  
11 families with one parent routinely at home are now in the minority. In  
12 addition, extended family and natural community supports have eroded  
13 drastically. The legislature recognizes that public policy assumptions  
14 must be altered to account for this new social reality. Public effort  
15 must be redirected to expand, support, strengthen, and help refashion  
16 family and community associations to care for children.

17 The legislature finds that a broad variety of services for children  
18 and families has been independently designed over the years and that  
19 the coordination and cost-effectiveness of these services will be  
20 enhanced through the adoption of a common approach to their delivery.  
21 The legislature further finds that the most successful programs for  
22 reaching and working with at-risk families and children treat  
23 individuals' problems in the context of the family, offer a broad  
24 spectrum of services, are flexible in the use of program resources, and  
25 use staff who are trained in crossing traditional program categories in  
26 order to broker services necessary to fully meet a family's needs.

27 The legislature further finds that eligibility criteria,  
28 expenditure restrictions, and reporting requirements of state and

1 federal categorical programs often create barriers toward the effective  
2 use of resources for addressing the multiple problems of at-risk  
3 families and children.

4 The purposes of this chapter are (1) to modify public policy and  
5 programs to empower communities to support and respond to the needs of  
6 individual families and children and (2) to improve the responsiveness  
7 of services for children and families at risk by facilitating greater  
8 coordination and flexibility in the use of funds by state and local  
9 service agencies."

10 "NEW SECTION. Sec. 2. A new section is added to chapter 74.14A  
11 RCW to read as follows:

12 To update, specify, and expand the policy stated in RCW 74.14A.020,  
13 the following is declared:

14 It is the policy of the state of Washington to promote:

15 (1) Family-oriented services and supports that:

16 (a) Recognize that families include both traditional and  
17 nontraditional support systems and those who live alone;

18 (b) Respond to the changing nature of families;

19 (c) Respond to what individuals and families say they need, and  
20 meet those needs in a way that maintains their dignity and respects  
21 their choices; and

22 (d) Treat children holistically within the context of their family  
23 and community, but when the child's rights and those of the family  
24 conflict, the rights of basic nurture, physical, and mental health and  
25 safety conflict with the legal rights of the parents, the rights and  
26 safety of the child will prevail;

27 (2) Culturally relevant services and supports that:

28 (a) Explicitly recognize the culture and beliefs of each family and  
29 use these as resources on behalf of the family;

1 (b) Provide equal access to culturally unique communities in  
2 planning and programs, and day-to-day work, and actively address  
3 instances where clearly disproportionate needs exist; and

4 (c) Enhance every culture's ability to achieve self-sufficiency and  
5 contribute in a productive way to the larger community;

6 (3) Coordinated services that:

7 (a) Develop strategies and skills for collaborative planning,  
8 problem solving, and service delivery;

9 (b) Encourage coordination and innovation by providing both formal  
10 and informal ways for people to communicate and collaborate in planning  
11 and programs;

12 (c) Allow clients, vendors, community people, and other agencies to  
13 creatively provide the most effective, responsive, and flexible  
14 services; and

15 (d) Commit to an open exchange of skills and information; and  
16 expect people throughout the system to treat each other with respect,  
17 dignity, and understanding;

18 (4) Locally planned services and supports that:

19 (a) Operate on the belief that each community has special  
20 characteristics, needs, and strengths;

21 (b) Include a cross-section of local community partners from the  
22 public and private sectors, in the planning and delivery of services  
23 and supports; and

24 (c) Support these partners in addressing the needs of their  
25 communities through both short-range and long-range planning and in  
26 establishing priorities within state and federal standards;

27 (5) Community-based prevention that encourages and supports state  
28 residents to create positive conditions in their communities to promote  
29 the well-being of families and reduce crises and the need for future  
30 services;

1 (6) Outcome-based services and supports that:

2 (a) Include a fair and realistic system for measuring both short-  
3 range and long-range progress and determining whether efforts make a  
4 difference;

5 (b) Use outcomes and indicators that reflect the goals that  
6 communities establish for themselves and their children;

7 (c) Work towards these goals and outcomes at all staff levels and  
8 in every agency; and

9 (d) Provide a mechanism for informing the development of program  
10 policies;

11 (7) Customer service that:

12 (a) Provides a climate that empowers staff to deliver quality  
13 programs and services;

14 (b) Is provided by courteous, sensitive, and competent  
15 professionals; and

16 (c) Upholds the dignity and respect of individuals and families by  
17 providing appropriate staff recognition, information, training, skills,  
18 and support;

19 (8) Creativity that:

20 (a) Increases the flexibility of funding and programs to promote  
21 innovation in planning, development, and provision of quality services;  
22 and

23 (b) Simplifies and reduces or eliminates rules that are barriers to  
24 coordination and quality services."

25 "NEW SECTION. Sec. 3. Unless the context clearly requires  
26 otherwise, the definitions in this section apply throughout this  
27 chapter.

28 (1) "Comprehensive plan" means a two-year plan that examines  
29 available resources and unmet needs for a county or multicounty area,

1 barriers that limit the effective use of resources, and a plan to  
2 address these issues that is broadly supported.

3 (2) "Participating state agencies" means the office of the  
4 superintendent of public instruction, the department of social and  
5 health services, the department of health, the employment security  
6 department, the department of community development, and such other  
7 departments as may be specifically designated by the governor.

8 (3) "Family policy council" or "council" means the superintendent  
9 of public instruction, the secretary of social and health services, the  
10 secretary of health, the commissioner of the employment security  
11 department, and the director of the department of community development  
12 and their designees, one legislator from each caucus of the senate and  
13 house of representatives, and one representative of the governor.

14 (4) "Outcome based" means defined and measurable outcomes and  
15 indicators that make it possible for communities to evaluate progress  
16 in meeting their goals and whether systems are fulfilling their  
17 responsibilities.

18 (5) "Matching funds" means an amount no less than twenty-five  
19 percent of the amount budgeted for a consortium's project. Up to half  
20 of the consortium's matching funds may be in-kind goods and services.  
21 Funding sources allowable for match include appropriate federal or  
22 local levy funds, private charitable funding, and other charitable  
23 giving. Basic education funds shall not be used as a match.

24 (6) "Consortium" means a diverse group of individuals that includes  
25 at least representatives of local service providers, service  
26 recipients, local government administering or funding children or  
27 family service programs, participating state agencies, school  
28 districts, existing children's commissions, ethnic and racial minority  
29 populations, and other interested persons organized for the purpose of  
30 designing and providing collaborative and coordinated services under

1 this chapter. Consortiums shall represent a county, multicounty, or  
2 municipal service area. In addition, consortiums may represent Indian  
3 tribes applying either individually or collectively."

4 "NEW SECTION. Sec. 4. To the extent that any power or duty of  
5 the council created according to this act may duplicate efforts of  
6 existing councils, commissions, advisory committees, or other entities,  
7 the governor is authorized to take necessary actions to eliminate such  
8 duplication. This shall include authority to consolidate similar  
9 councils or activities in a manner consistent with the goals of this  
10 act."

11 "NEW SECTION. Sec. 5. (1) The family policy council shall  
12 annually solicit from consortiums proposals to facilitate greater  
13 flexibility, coordination, and responsiveness of services at the  
14 community level. The council shall consider such proposals only if:

15 (a) A comprehensive plan has been prepared by the consortium; and

16 (b) The consortium has identified and agreed to contribute matching  
17 funds as specified in section 3 of this act; and

18 (c) An interagency agreement has been prepared by the family policy  
19 council and the participating local service and support agencies that  
20 governs the use of funds, specifies the relationship of the project to  
21 the principles listed in section 2 of this act, and identifies specific  
22 outcomes and indicators; and

23 (d) Funds are to be used to provide support or services needed to  
24 implement a family's or child's case plan that are not otherwise  
25 adequately available through existing categorical services or community  
26 programs;

27 (e) The consortium has provided written agreements that identify a  
28 lead agency that will assume fiscal and programmatic responsibility for

1 the project, and identify participants in a consortium council with  
2 broad participation and that shall have responsibility for ensuring  
3 effective coordination of resources; and

4 (f) The consortium has designed into its comprehensive plan  
5 standards for accountability. Accountability standards include, but  
6 are not limited to, the public hearing process eliciting public comment  
7 about the appropriateness of the proposed comprehensive plan. The  
8 consortium must submit reports to the family policy council outlining  
9 the public response regarding the appropriateness and effectiveness of  
10 the comprehensive plan.

11 (2) The family policy council may submit a prioritized list of  
12 projects recommended for funding in the governor's budget document.

13 (3) The participating state agencies shall identify funds to  
14 implement the proposed projects from budget requests or existing  
15 appropriations for services to children and their families."

16 "Sec. 6. RCW 28A.300.040 and 1991 c 116 s 2 are each amended to  
17 read as follows:

18 In addition to any other powers and duties as provided by law, the  
19 powers and duties of the superintendent of public instruction shall be:

20 (1) To have supervision over all matters pertaining to the public  
21 schools of the state.

22 (2) To report to the governor and the legislature such information  
23 and data as may be required for the management and improvement of the  
24 schools.

25 (3) To prepare and have printed such forms, registers, courses of  
26 study, rules and regulations for the government of the common schools,  
27 questions prepared for the examination of persons as provided for in  
28 RCW 28A.305.130(9), and such other material and books as may be  
29 necessary for the discharge of the duties of teachers and officials



1 charged with the administration of the laws relating to the common  
2 schools, and to distribute the same to educational service district  
3 superintendents.

4 (4) To travel, without neglecting his or her other official duties  
5 as superintendent of public instruction, for the purpose of attending  
6 educational meetings or conventions, of visiting schools, of consulting  
7 educational service district superintendents or other school officials.

8 (5) To prepare and from time to time to revise a manual of the  
9 Washington state common school code, copies of which shall be provided  
10 in such numbers as determined by the superintendent of public  
11 instruction at no cost to those public agencies within the common  
12 school system and which shall be sold at approximate actual cost of  
13 publication and distribution per volume to all other public and  
14 nonpublic agencies or individuals, said manual to contain Titles 28A  
15 and 28C RCW, rules and regulations related to the common schools, and  
16 such other matter as the state superintendent or the state board of  
17 education shall determine. Proceeds of the sale of such code shall be  
18 transmitted to the public printer who shall credit the state  
19 superintendent's account within the state printing plant revolving fund  
20 by a like amount.

21 (6) To act as ex officio member and the chief executive officer of  
22 the state board of education.

23 (7) To file all papers, reports and public documents transmitted to  
24 the superintendent by the school officials of the several counties or  
25 districts of the state, each year separately. Copies of all papers  
26 filed in the superintendent's office, and the superintendent's official  
27 acts, may, or upon request, shall be certified by the superintendent  
28 and attested by the superintendent's official seal, and when so  
29 certified shall be evidence of the papers or acts so certified to.

1 (8) To require annually, on or before the 15th day of August, of  
2 the president, manager, or principal of every educational institution  
3 in this state, a report as required by the superintendent of public  
4 instruction; and it is the duty of every president, manager or  
5 principal, to complete and return such forms within such time as the  
6 superintendent of public instruction shall direct.

7 (9) To keep in the superintendent's office a record of all teachers  
8 receiving certificates to teach in the common schools of this state.

9 (10) To issue certificates as provided by law.

10 (11) To keep in the superintendent's office at the capital of the  
11 state, all books and papers pertaining to the business of the  
12 superintendent's office, and to keep and preserve in the  
13 superintendent's office a complete record of statistics, as well as a  
14 record of the meetings of the state board of education.

15 (12) With the assistance of the office of the attorney general, to  
16 decide all points of law which may be submitted to the superintendent  
17 in writing by any educational service district superintendent, or that  
18 may be submitted to the superintendent by any other person, upon appeal  
19 from the decision of any educational service district superintendent;  
20 and the superintendent shall publish his or her rulings and decisions  
21 from time to time for the information of school officials and teachers;  
22 and the superintendent's decision shall be final unless set aside by a  
23 court of competent jurisdiction.

24 (13) To administer oaths and affirmations in the discharge of the  
25 superintendent's official duties.

26 (14) To deliver to his or her successor, at the expiration of the  
27 superintendent's term of office, all records, books, maps, documents  
28 and papers of whatever kind belonging to the superintendent's office or  
29 which may have been received by the superintendent's for the use of the  
30 superintendent's office.

1       (15) To administer family services and programs to promote the  
2 state's policy as provided in section 2 of this act.

3       (16) To perform such other duties as may be required by law."

4       **"Sec. 7.** RCW 43.63A.065 and 1990 1st ex.s. c 17 s 70 are each  
5 amended to read as follows:

6       The department shall have the following functions and  
7 responsibilities:

8       (1) Cooperate with and provide technical and financial assistance  
9 to the local governments and to the local agencies serving the  
10 communities of the state for the purpose of aiding and encouraging  
11 orderly, productive, and coordinated development of the state, and,  
12 unless stipulated otherwise, give priority to local communities with  
13 the greatest relative need and the fewest resources.

14       (2) Administer state and federal grants and programs which are  
15 assigned to the department by the governor or the legislature.

16       (3) Administer community services programs through private,  
17 nonprofit organizations and units of general purpose local government;  
18 these programs are directed to the poor and infirm and include  
19 community-based efforts to foster self-sufficiency and self-reliance,  
20 energy assistance programs, head start, and weatherization.

21       (4) Study issues affecting the structure, operation, and financing  
22 of local government as well as those state activities which involve  
23 relations with local government and report the results and  
24 recommendations to the governor, legislature, local government, and  
25 citizens of the state.

26       (5) Assist the governor in coordinating the activities of state  
27 agencies which have an impact on local governments and communities.

28       (6) Provide technical assistance to the governor and the  
29 legislature on community development policies for the state.

1 (7) Assist in the production, development, rehabilitation, and  
2 operation of owner-occupied or rental housing for low and moderate  
3 income persons, and qualify as a participating state agency for all  
4 programs of the Department of Housing and Urban Development or its  
5 successor.

6 (8) Support and coordinate local efforts to promote volunteer  
7 activities throughout the state.

8 (9) Participate with other states or subdivisions thereof in  
9 interstate programs and assist cities, counties, municipal  
10 corporations, governmental conferences or councils, and regional  
11 planning commissions to participate with other states or their  
12 subdivisions.

13 (10) Hold public hearings and meetings to carry out the purposes of  
14 this chapter.

15 (11) Provide a comprehensive state-level focus for state fire  
16 protection services, funding, and policy.

17 (12) Administer a program to identify, evaluate, and protect  
18 properties which reflect outstanding elements of the state's cultural  
19 heritage.

20 (13) Coordinate a comprehensive state program for mitigating,  
21 preparing for, responding to, and recovering from emergencies and  
22 disasters.

23 (14) Administer family services and programs to promote the state's  
24 policy as provided in section 2 of this act."

25 "**Sec. 8.** RCW 43.70.020 and 1989 1st ex.s. c 9 s 103 are each  
26 amended to read as follows:

27 (1) There is hereby created a department of state government to be  
28 known as the department of health. The department shall be vested with  
29 all powers and duties transferred to it by this act and such other

1 powers and duties as may be authorized by law. The main administrative  
2 office of the department shall be located in the city of Olympia. The  
3 secretary may establish administrative facilities in other locations,  
4 if deemed necessary for the efficient operation of the department, and  
5 if consistent with the principles set forth in subsection (2) of this  
6 section.

7 (2) The department of health shall be organized consistent with the  
8 goals of providing state government with a focus in health and serving  
9 the people of this state. The legislature recognizes that the  
10 secretary needs sufficient organizational flexibility to carry out the  
11 department's various duties. To the extent practical, the secretary  
12 shall consider the following organizational principles:

13 (a) Clear lines of authority which avoid functional duplication  
14 within and between subelements of the department;

15 (b) A clear and simplified organizational design promoting  
16 accessibility, responsiveness, and accountability to the legislature,  
17 the consumer, and the general public;

18 (c) Maximum span of control without jeopardizing adequate  
19 supervision;

20 (d) A substate or regional organizational structure for the  
21 department's health service delivery programs and activities that  
22 encourages joint working agreements with local health departments and  
23 that is consistent between programs;

24 (e) Decentralized authority and responsibility, with clear  
25 accountability;

26 (f) A single point of access for persons receiving like services  
27 from the department which would limit the number of referrals between  
28 divisions.

29 (3) The department shall provide leadership and coordination in  
30 identifying and resolving threats to the public health by:

1 (a) Working with local health departments and local governments to  
2 strengthen the state and local governmental partnership in providing  
3 public protection;

4 (b) Developing intervention strategies;

5 (c) Providing expert advice to the executive and legislative  
6 branches of state government;

7 (d) Providing active and fair enforcement of rules;

8 (e) Working with other federal, state, and local agencies and  
9 facilitating their involvement in planning and implementing health  
10 preservation measures;

11 (f) Providing information to the public; and

12 (g) Carrying out such other related actions as may be appropriate  
13 to this purpose.

14 (4) In accordance with the administrative procedure act, chapter  
15 34.05 RCW, the department shall ensure an opportunity for consultation,  
16 review, and comment by the department's clients before the adoption of  
17 standards, guidelines, and rules.

18 (5) Consistent with the principles set forth in subsection (2) of  
19 this section, the secretary may create such administrative divisions,  
20 offices, bureaus, and programs within the department as the secretary  
21 deems necessary. The secretary shall have complete charge of and  
22 supervisory powers over the department, except where the secretary's  
23 authority is specifically limited by law.

24 (6) The secretary shall appoint such personnel as are necessary to  
25 carry out the duties of the department in accordance with chapter 41.06  
26 RCW.

27 (7) The secretary shall appoint the state health officer and such  
28 deputy secretaries, assistant secretaries, and other administrative  
29 positions as deemed necessary consistent with the principles set forth  
30 in subsection (2) of this section. All persons who administer the

1 necessary divisions, offices, bureaus, and programs, and five  
2 additional employees shall be exempt from the provisions of chapter  
3 41.06 RCW. The officers and employees appointed under this subsection  
4 shall be paid salaries to be fixed by the governor in accordance with  
5 the procedure established by law for the fixing of salaries for  
6 officers exempt from the state civil service law.

7 (8) The secretary shall administer family services and programs to  
8 promote the state's policy as provided in section 2 of this act."

9 "NEW SECTION. Sec. 9. A new section is added to chapter 43.20A  
10 RCW to read as follows:

11 The secretary shall administer family services and programs to  
12 promote the state's policy as provided in section 2 of this act."

13 "NEW SECTION. Sec. 10. A new section is added to chapter 50.08  
14 RCW to read as follows:

15 The commissioner shall administer family services and programs to  
16 promote the state's policy as provided in section 2 of this act."

17 "NEW SECTION. Sec. 11. By June 30, 1995, the family policy  
18 council shall report to the appropriate committees of the legislature  
19 on the expenditures made, outcomes attained, and other pertinent  
20 aspects of its experience in the implementation of section 5 of this  
21 act."

22 "NEW SECTION. Sec. 12. The juvenile issues task force  
23 reauthorized under chapter --, Laws of 1992 shall conduct a study to  
24 determine whether a network of consortia on children, youth, and  
25 families may be authorized to receive a transfer of authority to  
26 administer: (1) The program funds from council agencies including at

1 least: (a) The prevention and early intervention programs that the  
2 department of social and health services contracted for with private  
3 agencies on January 1, 1992; (b) consolidated juvenile services within  
4 the department of social and health services; (c) all residential and  
5 foster care services within the department of social and health  
6 services; (d) drug and alcohol prevention under chapter 28A.170 RCW;  
7 (e) the Fair Start program from the superintendent of public  
8 instruction; (f) school psychological and social counseling services  
9 from the superintendent of public instruction; (g) school health and  
10 nutrition services from the superintendent of public instruction; (h)  
11 the early childhood education and assistance program in the department  
12 of community development; and (i) the first steps program and for other  
13 department of health funded health education and health promotion  
14 programs where the primary target population is children; (2) a  
15 requirement that consortia prepare two-year plans that respond at a  
16 minimum to needs assessments, interagency service plans, and the goals  
17 of local school districts, public health departments, juvenile courts,  
18 and children's protective services; and (3) ways in which consortia can  
19 improve access to assistance that will strengthen the healthy family  
20 unit or community organizations, including at a minimum ways to reduce  
21 abuse of alcohol and illegal substances by children and their parents,  
22 and interpersonal violence and intentional injury to children. The  
23 study should recommend specific financial incentives to encourage the  
24 transfer of authority as outlined under this section. The juvenile  
25 issues task force shall also assess existing resources and institutes  
26 on children and family services and recommend whether an institute on  
27 children and family services affiliated with a college or university be  
28 established, or, if existing, modified or expanded."



1        "NEW SECTION.   **Sec. 13.**   A new section is added to chapter 74.14A  
2   RCW to read as follows:

3        The implementation of council, consortia, and institute, shall be  
4   included in all federal and state plans affecting the state's children,  
5   youth, and families, including at least those required by this chapter  
6   and applicable federal law.  These plans shall be consistent with the  
7   intent and requirements of this chapter."

8        "NEW SECTION.   **Sec. 14.**       Sections 1 and 3 through 5 of this act  
9   shall constitute a new chapter in Title 70 RCW."

10       "NEW SECTION.   **Sec. 15.**       If any provision of this act or its  
11   application to any person or circumstance is held invalid, the  
12   remainder of the act or the application of the provision to other  
13   persons or circumstances is not affected."

14       "NEW SECTION.   **Sec. 16.**       This act shall take effect July 1,  
15   1992."

16   **SSB 6428** - H COMM AMD  
17        By Committee on Human Services

18  
19        On page 1, line 1 of the title, after "families;" strike the  
20   remainder of the title and insert "amending RCW 28A.300.040,  
21   43.63A.065, and 43.70.020; adding new sections to chapter 74.14A RCW;  
22   adding a new section to chapter 43.20A RCW; adding a new section to  
23   chapter 50.08 RCW; adding a new chapter to Title 70 RCW; creating new  
24   sections; and providing an effective date."