

2 **SSB 6428 - H COMM AMD ADOPTED AD AMMENDED BY 0367, 0380, 0369, AND 0365**
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 (either Engrossed
24 Substitute House Bill No. 2466 or Second Substitute House Bill No.
25 6041) shall conduct a study to determine whether a network of consortia
26 on children, youth, and families may be authorized to receive a

1 transfer of authority to administer: (1) The program funds from
2 council agencies including at least: (a) The prevention and early
3 intervention programs that the department of social and health services
4 contracted for with private agencies on January 1, 1992; (b)
5 consolidated juvenile services within the department of social and
6 health services; (c) all residential and foster care services within
7 the department of social and health services; (d) drug and alcohol
8 prevention under chapter 28A.170 RCW; (e) the Fair Start program from
9 the superintendent of public instruction; (f) school psychological and
10 social counseling services from the superintendent of public
11 instruction; (g) school health and nutrition services from the
12 superintendent of public instruction; (h) the early childhood education
13 and assistance program in the department of community development; and
14 (i) the first steps program and for other department of health funded
15 health education and health promotion programs where the primary target
16 population is children; (2) a requirement that consortia prepare two-
17 year plans that respond at a minimum to needs assessments, interagency
18 service plans, and the goals of local school districts, public health
19 departments, juvenile courts, and children's protective services; and
20 (3) ways in which consortia can improve access to assistance that will
21 strengthen the healthy family unit or community organizations,
22 including at a minimum ways to reduce abuse of alcohol and illegal
23 substances by children and their parents, and interpersonal violence
24 and intentional injury to children. The study should recommend
25 specific financial incentives to encourage the transfer of authority as
26 outlined under this section. The juvenile issues task force shall also
27 assess existing resources and institutes on children and family
28 services and recommend whether an institute on children and family
29 services affiliated with a college or university be established, or, if
30 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."