
HOUSE BILL 2472

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Ebersole, Winsley, Leonard, P. Johnson, Braddock, Anderson, Ludwig, J. Kohl and H. Myers

Read first time 01/17/92. Referred to Committee on Human Services.

1 AN ACT Relating to family preservation services; and adding a new
2 chapter to Title 74 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) It is the intent of the legislature
5 to establish brief, comprehensive, and highly intensive family
6 preservation services. The services shall be designed to:

7 (a) Avoid unnecessary imminent placement of children into foster
8 care;

9 (b) Allow the immediate return of children from foster care
10 placement;

11 (c) Improve family functioning to make it possible for such
12 children to remain at home in the future; and

13 (d) Promote the children's health, safety, and welfare.

1 (2) Subject to the availability of funds for such purposes, the
2 legislature intends for family preservation services to be made
3 available to all eligible families on a state-wide basis through a
4 phased-in process. Except as otherwise specified by statute, the
5 department of social and health services shall have the authority and
6 discretion to implement and expand family preservation services
7 according to a plan and time frame determined by the department.

8 (3) Nothing in this chapter shall be construed to create an
9 entitlement to services nor to create judicial authority to order the
10 provision of family preservation services to any person or family where
11 the department has determined that such services are unavailable or
12 unsuitable or that the child or family are not eligible for such
13 services.

14 NEW SECTION. **Sec. 2.** Unless the context clearly requires
15 otherwise, the definitions in this section apply throughout this
16 chapter.

17 (1) "Department" means the department of social and health
18 services.

19 (2) "Foster care" means placement of a child by the department or
20 a licensed child placing agency in a home or facility licensed pursuant
21 to chapter 74.15 RCW, or in a home or facility that is not required to
22 be licensed pursuant to chapter 74.15 RCW.

23 NEW SECTION. **Sec. 3.** Family preservation services provided
24 pursuant to this chapter shall be in-home programs that follow
25 intensive service models with demonstrated effectiveness in reducing or
26 avoiding the need for state-funded foster care placement and shall have
27 all of the following characteristics:

1 (1) Services are provided by specially trained caseworkers who have
2 received at least forty hours of training from recognized family
3 preservation services experts. Caseworkers provide the majority of
4 their services in the family's home or other natural environment of the
5 family, such as their neighborhood or schools;

6 (2) Caseload size averages no more than two families per
7 caseworker;

8 (3) Caseworkers have the authority and discretion to spend funds,
9 up to a maximum amount specified by the department, to help families
10 obtain necessary food, shelter, or clothing, or to purchase other goods
11 or services that will enhance the effectiveness of intervention;

12 (4) Services are available to the family within twenty-four hours
13 following receipt of a referral to the program;

14 (5) Services are available to the family twenty-four hours a day
15 and seven days a week;

16 (6) Duration of service is limited to a maximum of forty days,
17 unless the department authorizes an additional provision of service
18 through an exception to policy;

19 (7) Services assist the family to improve parental and household
20 management competence and to solve practical problems that contribute
21 to family stress so as to effect improved parental performance and
22 enhanced functioning of the family unit; and

23 (8) Services help families locate and utilize additional
24 assistance, including, but not limited to, counseling and treatment
25 services, housing, child care, education, job training, emergency cash
26 grants, state and federally funded public assistance, and other basic
27 support services.

28 NEW SECTION. **Sec. 4.** (1) The department shall be the lead
29 administrative agency for family preservation services and may receive

1 funding from any source for the implementation or expansion of such
2 services. The department shall:

3 (a) Provide coordination and planning for the implementation and
4 expansion of family preservation services; and

5 (b) Monitor and evaluate such services to determine whether the
6 programs meet measurable standards specified by this chapter and the
7 department.

8 (2) In carrying out the requirements of subsection (1)(a) of this
9 section, the department shall consult and coordinate with a qualified
10 private, nonprofit agency that has demonstrated expertise and
11 experience in family preservation services.

12 (3) The department may provide family preservation services
13 directly and shall, within available funds, contract with private,
14 nonprofit social service agencies to provide services, provided that
15 such agencies meet measurable standards specified by this chapter and
16 by the department.

17 (4) The department shall not continue direct provision of family
18 preservation services unless it is demonstrated that provision of such
19 services prevents foster care placement in at least seventy percent of
20 the cases served for a period of at least six months following
21 termination of services.

22 The department shall not renew a contract with a service provider
23 unless the provider can demonstrate that provision of services prevents
24 foster care placement in at least seventy percent of the cases served
25 for a period of at least six months following termination of service.

26 NEW SECTION. **Sec. 5.** (1) Family preservation services may be
27 provided to children and their families only when the department has
28 determined that:

1 (a) The child has been placed in foster care or is at actual,
2 imminent risk of foster care placement due to:

3 (i) Child abuse or neglect;

4 (ii) A serious threat of substantial harm to the child's health,
5 safety, or welfare; or

6 (iii) Family conflict; and

7 (b) There are no other available services that will prevent foster
8 care placement of the child or make it possible to immediately return
9 the child home.

10 (2) The department shall refer eligible families to family
11 preservation services. The department need not refer otherwise
12 eligible families, and family preservation services need not be
13 provided, if:

14 (a) The services are not available in the community in which the
15 family resides;

16 (b) The services cannot be provided because the program is filled
17 to capacity and there are no current service openings;

18 (c) The family refuses the services;

19 (d) The department, or the agency that is supervising the foster
20 care placement, has developed a case plan that does not include
21 reunification of the child and family; or

22 (e) The department or the contracted service provider determines
23 that the safety of a child, a family member, or persons providing the
24 service would be unduly threatened.

25 (3) Nothing in this chapter shall prevent provision of family
26 preservation services to nonfamily members when the department or the
27 service provider deems it necessary or appropriate to do so in order to
28 assist the family or child.

1 NEW SECTION. **Sec. 6.** (1) The department shall, within
2 available funds, conduct a family preservation services study in at
3 least one region within the state. In developing and conducting the
4 project, the department shall consult and coordinate with a qualified
5 private, nonprofit agency that has demonstrated expertise and
6 experience in family preservation services.

7 (2) The department shall:

8 (a) Develop a valid and reliable process for accurately identifying
9 clients who are eligible for family preservation services;

10 (b) Collect data on which to base projections of service needs,
11 budget requests, and long-range planning;

12 (c) Develop regional and state-wide projections of service needs;

13 (d) Develop a budget request for implementation and expansion of
14 family preservation services on a state-wide basis; and

15 (e) Develop a long-range plan and time frame for expanding the
16 availability of family preservation services and ultimately making such
17 services available to all eligible families on a state-wide basis.

18 (3) The department shall prepare a report to the legislature that
19 addresses the objectives set forth in section 3 of this act. The
20 report shall include recommendations for expanding and implementing
21 family preservation services on a state-wide basis. The report is due
22 January 1, 1993.

23 NEW SECTION. **Sec. 7.** For the purpose of providing family
24 preservation services to children who would otherwise be removed from
25 their homes, the department may:

26 (1) Solicit and use any available federal or private resources,
27 which may include funds, in-kind resources, or volunteer services; and

28 (2) Use any available state resources, which may include in-kind
29 resources or volunteer services.

1 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act shall
2 constitute a new chapter in Title 74 RCW.