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SENATE BILL 6219

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State of Washington

52nd Legislature

1992 Regular Session

By Senator Roach

Read first time 01/22/92. Referred to Committee on Children & Family Services.

1 AN ACT Relating to crisis residential centers; amending RCW  
2 13.32A.130, 13.32A.140, 74.13.032, 74.13.033, 74.13.034, and 74.13.035;  
3 adding new sections to chapter 13.32A RCW; creating a new section; and  
4 providing an effective date.

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

6 **Sec. 1.** RCW 13.32A.130 and 1990 c 276 s 8 are each amended to read  
7 as follows:

8 A child admitted to a crisis residential center under this chapter  
9 who is not returned to the home of his or her parent or who is not  
10 placed in an alternative residential placement under an agreement  
11 between the parent and child, shall, except as provided for by RCW  
12 13.32A.140 and 13.32A.160(2), reside in such placement under the rules  
13 and regulations established for the center for a period not to exceed  
14 (~~seventy-two hours, excluding Saturdays, Sundays, and holidays,~~) five

1 ~~consecutive days~~ from the time of intake, except as otherwise provided  
2 by this chapter. Crisis residential center staff shall make a  
3 concerted effort to achieve a reconciliation of the family. If a  
4 reconciliation and voluntary return of the child has not been achieved  
5 within ~~forty eight hours~~ ((, excluding Saturdays, Sundays and  
6 holidays,)) from the time of intake, and if the person in charge of the  
7 center does not consider it likely that reconciliation will be achieved  
8 within the ((~~seventy two hour~~)) five-day period, then the person in  
9 charge shall inform the parent and child of (1) the availability of  
10 counseling services; (2) the right to file a petition for an  
11 alternative residential placement, the right of a parent to file an at-  
12 risk youth petition, and the right of the parent and child to obtain  
13 assistance in filing the petition; and (3) the right to request a  
14 review of any alternative residential placement: PROVIDED, That at no  
15 time shall information regarding a parent's or child's rights be  
16 withheld if requested: PROVIDED FURTHER, That the department shall  
17 develop and distribute to all law enforcement agencies and to each  
18 crisis residential center administrator a written statement delineating  
19 such services and rights. Every officer taking a child into custody  
20 shall provide the child and his or her parent(s) or responsible adult  
21 with whom the child is placed with a copy of such statement. In  
22 addition, the administrator of the facility or his or her designee  
23 shall provide every resident and parent with a copy of such statement.

24 **Sec. 2.** RCW 13.32A.140 and 1990 c 276 s 9 are each amended to read  
25 as follows:

26 The department shall file a petition to approve an alternative  
27 residential placement on behalf of a child under any of the following  
28 sets of circumstances:

1 (1) The child has been admitted to a crisis residential center or  
2 has been placed with a responsible person other than his or her parent,  
3 and:

4 (a) The parent has been notified that the child was so admitted or  
5 placed;

6 (b) (~~Seventy two hours, including Saturdays, Sundays, and~~  
7 ~~holidays,~~) Five consecutive days have passed since such notification;

8 (c) No agreement between the parent and the child as to where the  
9 child shall live has been reached;

10 (d) No petition requesting approval of an alternative residential  
11 placement has been filed by either the child or parent or legal  
12 custodian;

13 (e) The parent has not filed an at-risk youth petition; and

14 (f) The child has no suitable place to live other than the home of  
15 his or her parent.

16 (2) The child has been admitted to a crisis residential center and:

17 (a) (~~Seventy two hours, including Saturdays, Sundays, and~~  
18 ~~holidays,~~) Five consecutive days have passed since such placement;

19 (b) The staff, after searching with due diligence, have been unable  
20 to contact the parent of such child; and

21 (c) The child has no suitable place to live other than the home of  
22 his or her parent.

23 (3) An agreement between parent and child made pursuant to RCW  
24 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer  
25 acceptable to parent or child, and:

26 (a) The party to whom the arrangement is no longer acceptable has  
27 so notified the department;

28 (b) (~~Seventy two hours, including Saturdays, Sundays, and~~  
29 ~~holidays,~~) Five consecutive days have passed since such notification;

1 (c) No new agreement between parent and child as to where the child  
2 shall live has been reached;

3 (d) No petition requesting approval of an alternative residential  
4 placement has been filed by either the child or the parent;

5 (e) The parent has not filed an at-risk youth petition; and

6 (f) The child has no suitable place to live other than the home of  
7 his or her parent.

8 Under the circumstances of subsections (1), (2), or (3) of this  
9 section, the child shall remain in a licensed child care facility,  
10 including but not limited to a crisis residential center, or in any  
11 other suitable residence to be determined by the department until an  
12 alternative residential placement petition filed by the department on  
13 behalf of the child is reviewed by the juvenile court and is resolved  
14 by such court. The department may authorize emergency medical or  
15 dental care for a child placed under this section. The state, when the  
16 department files a petition for alternative residential placement under  
17 this section, shall be represented as provided for in RCW 13.04.093.

18 NEW SECTION. **Sec. 3.** To the extent possible, the department  
19 of social and health services shall transfer children who are  
20 inappropriately housed in crisis residential centers to residential and  
21 treatment services designed to meet their specific, unique needs by  
22 June 30, 1993.

23 The department shall prepare a budget request for the 1993-95  
24 biennium that ensures all children inappropriately housed in crisis  
25 residential centers are transferred to appropriate residential and  
26 treatment services. The budget request shall be included in the  
27 governor's proposed expenditure plan for the 1993-95 biennium.

1        NEW SECTION.    **Sec. 4.** A new section is added to chapter 13.32A RCW  
2 to read as follows:

3        The department of social and health services shall not  
4 administratively split-code staff responsible for family reconciliation  
5 services between separate and distinct functions, except in remote  
6 rural offices where to do otherwise proves impractical.

7        NEW SECTION.    **Sec. 5.** A new section is added to chapter 13.32A RCW  
8 to read as follows:

9        All placements into crisis residential centers shall be approved by  
10 and coordinated through the family reconciliation services supervisor.  
11 The department of social and health services shall establish uniform  
12 procedures for the use of crisis residential centers, which shall be  
13 adhered to by all family reconciliation services supervisors.

14        **Sec. 6.** RCW 74.13.032 and 1979 c 155 s 78 are each amended to read  
15 as follows:

16        (1) The department shall establish, by contracts with private  
17 vendors, not less than ~~((eight—regional))~~ thirty-eight crisis  
18 residential centers, which shall be structured group care facilities  
19 licensed under rules adopted by the department. Each ~~((regional))~~  
20 center shall have ~~((an average of at least four adult staff members and  
21 in no event less than))~~ three adult staff members to every ~~((eight))~~  
22 nine children. The staff shall be trained so that they may effectively  
23 counsel juveniles admitted to the centers, provide treatment,  
24 supervision, and structure to the juveniles, and carry out the  
25 responsibilities outlined in RCW 13.32A.090.

26        (2) ~~((The department shall, in addition to the regional facilities  
27 established under subsection (1) of this section, establish not less  
28 than thirty additional crisis residential centers pursuant to contract~~

1 with licensed private group care or specialized foster home facilities.  
2 The staff at the facilities shall be trained so that they may  
3 effectively counsel juveniles admitted to the centers, provide  
4 treatment, supervision, and structure to the juveniles, and carry out  
5 the responsibilities stated in RCW 13.32A.090.) The responsibilities  
6 stated in RCW 13.32A.090 may, in any of the centers, be carried out by  
7 the department.

8 Crisis residential facilities shall be operated as semi-secure  
9 facilities.

10 **Sec. 7.** RCW 74.13.033 and 1979 c 155 s 79 are each amended to read  
11 as follows:

12 (1) If a resident of a center becomes by his or her behavior  
13 disruptive to the facility's program, such resident may be immediately  
14 removed to a separate area within the facility and counseled on an  
15 individual basis until such time as the child regains his or her  
16 composure. The department may set rules and regulations establishing  
17 additional procedures for dealing with severely disruptive children on  
18 the premises, which procedures are consistent with the federal juvenile  
19 justice and delinquency prevention act of 1974 and regulations and  
20 clarifying instructions promulgated thereunder. Nothing in this  
21 section shall prohibit a center from referring any child who, as the  
22 result of a mental or emotional disorder, or intoxication by alcohol or  
23 other drugs, is suicidal, seriously assaultive or seriously destructive  
24 toward others, or otherwise similarly evidences an immediate need for  
25 emergency medical evaluation and possible care, (~~to a community mental~~  
26 ~~health center~~) for evaluation pursuant to chapter 71.34 RCW  
27 (~~(72.23.070)~~) or to a mental health professional pursuant to chapter  
28 71.05 RCW whenever such action is deemed appropriate and consistent  
29 with law.

1 (2) When the juvenile resides in this facility, all services deemed  
2 necessary to the juvenile's reentry to normal family life shall be made  
3 available to the juvenile as required by chapter 13.32A RCW. In  
4 providing these services, the facility shall:

5 (a) Interview the juvenile as soon as possible;

6 (b) Contact the juvenile's parents and arrange for a counseling  
7 interview with the juvenile and his or her parents as soon as possible;

8 (c) Conduct counseling interviews with the juvenile and his or her  
9 parents, to the end that resolution of the child/parent conflict is  
10 attained and the child is returned home as soon as possible; and

11 (d) Provide additional crisis counseling as needed, to the end that  
12 placement of the child in the crisis residential center will be  
13 required for the shortest time possible, but not to exceed (~~seventy-~~  
14 ~~two hours~~) five consecutive days.

15 (3) A juvenile taking unauthorized leave from this residence may be  
16 apprehended and returned to it by law enforcement officers or other  
17 persons designated as having this authority as provided in RCW  
18 13.32A.050. If returned to the facility after having taken  
19 unauthorized leave for a period of more than twenty-four hours a  
20 juvenile may be supervised by such a facility for a period, pursuant to  
21 this chapter, which, unless where otherwise provided, may not exceed  
22 (~~seventy-two hours~~) five consecutive days on the premises. Costs of  
23 housing juveniles admitted to crisis residential centers shall be  
24 assumed by the department for a period not to exceed (~~seventy-two~~  
25 ~~hours~~) five consecutive days.

26 **Sec. 8.** RCW 74.13.034 and 1991 c 364 s 5 are each amended to read  
27 as follows:

28 (1) (~~A child taken into custody and taken to a crisis residential~~  
29 ~~center established pursuant to RCW 74.13.032(2) may, if the center is~~

1 unable to provide appropriate treatment, supervision, and structure to  
2 the child, be taken at department expense to another crisis residential  
3 center or the nearest regional crisis residential center. Placement in  
4 both centers shall not exceed seventy two hours from the point of  
5 intake as provided in RCW 13.32A.130.

6       (2)) A child taken into custody and taken to a crisis residential  
7 center established by this chapter may be placed physically by the  
8 department or the department's designee and, at departmental expense  
9 and approval, in a secure juvenile detention facility operated by the  
10 county in which the center is located for a maximum of forty-eight  
11 hours, including Saturdays, Sundays, and holidays, if the child has  
12 taken unauthorized leave from the center and the person in charge of  
13 the center determines that the center cannot provide supervision and  
14 structure adequate to ensure that the child will not again take  
15 unauthorized leave. Juveniles placed in such a facility pursuant to  
16 this section may not, to the extent possible, come in contact with  
17 alleged or convicted juvenile or adult offenders.

18       ((3)) (2) Any child placed in secure detention pursuant to this  
19 section shall, during the period of confinement, be provided with  
20 appropriate treatment by the department or the department's designee,  
21 which shall include the services defined in RCW 74.13.033(2). If the  
22 child placed in secure detention is not returned home or if an  
23 alternative living arrangement agreeable to the parent and the child is  
24 not made within twenty-four hours after the child's admission, the  
25 child shall be taken at the department's expense to a crisis  
26 residential center. Placement in the crisis residential center or  
27 centers plus placement in juvenile detention shall not exceed  
28 ((seventy two hours)) five consecutive days from the point of intake as  
29 provided in RCW 13.32A.130.



1       (~~(4)~~) (3) Juvenile detention facilities used pursuant to this  
2 section shall first be certified by the department to ensure that  
3 juveniles placed in the facility pursuant to this section are provided  
4 with living conditions suitable to the well-being of the child. Where  
5 space is available, juvenile courts, when certified by the department  
6 to do so, shall provide secure placement for juveniles pursuant to this  
7 section, at department expense.

8       (~~(5)~~) (4) It is the intent of the legislature that by July 1,  
9 1982, crisis residential centers, supplemented by community mental  
10 health programs and mental health professionals, will be able to  
11 respond appropriately to children admitted to centers under this  
12 chapter and will be able to respond to the needs of such children with  
13 appropriate treatment, supervision, and structure.

14       **Sec. 9.** RCW 74.13.035 and 1979 c 155 s 81 are each amended to read  
15 as follows:

16       Crisis residential centers shall compile yearly records which shall  
17 be transmitted to the department and which shall contain information  
18 regarding population profiles of the children admitted to the centers  
19 during each past calendar year. Such information shall include but  
20 shall not be limited to the following:

- 21       (1) The number, age, and sex of children admitted to custody;
- 22       (2) Who brought the children to the center;
- 23       (3) Services provided to children admitted to the center;
- 24       (4) The circumstances which necessitated the children being brought  
25 to the center;
- 26       (5) The ultimate disposition of cases;
- 27       (6) The number of children admitted to custody who ran away from  
28 the center and their ultimate disposition, if any;
- 29       (7) Length of stay.

1 The department may require the provision of additional information and  
2 may require each center to provide all such necessary information in a  
3 uniform manner.

4 ~~((A center may, in addition to being licensed as such, also be  
5 licensed as a family foster home or group care facility and may house  
6 on the premises juveniles assigned for foster or group care.))~~

7 NEW SECTION. **Sec. 10.** Sections 1, 2, 6, 8, and 9 of this act  
8 shall take effect July 1, 1993.