
SUBSTITUTE HOUSE BILL 2598

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Human Services (originally sponsored by Representatives H. Myers, Patterson, Dorn, Rust, Basich, Pruitt, Holm, Ogden, Springer, Roland, King and J. Kohl)

Read first time 02/04/94.

1 AN ACT Relating to children and family services; amending RCW
2 74.14A.020, 70.190.005, 70.190.010, 70.190.030, and 74.14A.050; adding
3 new sections to chapter 43.131 RCW; adding a new section to chapter
4 43.84 RCW; adding new sections to chapter 70.190 RCW; creating a new
5 section; making an appropriation; and declaring an emergency.

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

7 **PART I: CHILDREN AND FAMILY SERVICES POLICY**

8 **Sec. 1.** RCW 74.14A.020 and 1983 c 192 s 2 are each amended to read
9 as follows:

10 The (~~department of social and health services~~) efforts of all
11 state agencies, individually and collectively, shall address the needs
12 of children and their families, including emotionally disturbed
13 (~~and~~), developmentally disabled, and mentally ill children,
14 potentially dependent children, and families-in-conflict by:

15 (1) Serving children and families as a unit in the least
16 restrictive setting available and in close proximity to (~~the~~) family
17 homes, consistent with the best interests and special needs of the
18 child;

1 (2) Developing and implementing comprehensive, preventive, and
2 early intervention social and health services that demonstrate the
3 ability to delay or reduce the need for out-of-home placements and
4 ameliorate problems before they become chronic or severe;

5 (3) Ensuring that appropriate social and health services are
6 provided to the family unit both prior to the removal of a child from
7 the home and after the family ((reunification)) is reunited;

8 (~~(3) Developing and implementing comprehensive, preventive, and~~
9 ~~early intervention social and health services which have demonstrated~~
10 ~~the ability to delay or reduce the need for out-of-home placements and~~
11 ~~ameliorate problems before they become chronic or severe;~~)

12 (4) Ensuring that the safety and best interests of the child are
13 the paramount considerations when making placement and service delivery
14 decisions;

15 (5) Recognizing the interdependent and changing nature of families
16 and communities, building upon inherent family strengths, maintaining
17 families' dignity and respect, and tailoring programs to their specific
18 circumstances;

19 (6) Being sensitive to family and community culture, norms, values,
20 and expectations, ensuring that all services are accessible and are
21 provided in a culturally competent and relevant manner, and ensuring
22 participation of racial and ethnic minorities at all levels of service
23 planning, delivery, and evaluation efforts;

24 (7)(a) Developing coordinated ((social and health)) services for
25 children and families which:

26 (~~(a)~~) (i) Identify problems experienced by children and their
27 families early and provide services which are adequate in availability,
28 appropriate to the situation, and effective;

29 (~~(b)~~) (ii) Seek to bring about meaningful change before family
30 situations become irreversibly destructive and before disturbed
31 psychological behavioral patterns and health problems become severe or
32 permanent;

33 (~~(c)~~) (iii) Serve children and families in their own homes thus
34 preventing unnecessary out-of-home placement or institutionalization;

35 (~~(d)~~) (iv) Focus resources on ((social and health)) problems as
36 they begin to manifest themselves rather than waiting for chronic and
37 severe patterns of illness, criminality, and dependency to develop
38 which require long-term treatment, maintenance, or custody;

39 (~~(e)~~) (v) Reduce duplication of and gaps in service delivery;

1 (~~(f)~~) (vi) Improve planning, budgeting, and communication among
2 (~~all units of the department~~) state and local agencies and private
3 organizations serving children and families; and

4 (~~(g) Develop~~) (vii) Use outcome standards for measuring the
5 effectiveness of (~~social and health~~) services for children and
6 families.

7 (b) In developing services under this subsection, local communities
8 shall be partners with the state in planning, developing, implementing,
9 and administering support systems that are tailored to their unique
10 needs.

11 **Sec. 2.** RCW 70.190.005 and 1992 c 198 s 1 are each amended to read
12 as follows:

13 The legislature finds that a primary goal of public involvement in
14 the lives of children has been to strengthen the family unit.

15 However, the legislature recognizes that traditional two-parent
16 families with one parent routinely at home are now in the minority. In
17 addition, extended family and natural community supports have eroded
18 drastically. The legislature recognizes that public policy assumptions
19 must be altered to account for this new social reality. Public effort
20 must be redirected to expand, support, and strengthen(~~, and help~~
21 ~~refashion family~~) families' and (~~community associations~~)
22 communities' efforts to care for children.

23 The legislature finds that a broad variety of services for children
24 and families has been independently designed over the years and that
25 the coordination and cost-effectiveness of these services will be
26 enhanced through the adoption of (~~a common~~) an approach (~~to their~~
27 ~~delivery~~) that allows communities to design and coordinate services to
28 meet their local needs. The legislature further finds that the most
29 successful programs for reaching and working with at-risk families and
30 children treat individuals' problems in the context of the family,
31 offer a broad spectrum of services, are flexible in the use of program
32 resources, and use staff who are trained in crossing traditional
33 program categories in order to broker services necessary to fully meet
34 a family's needs.

35 The legislature further finds that eligibility criteria,
36 expenditure restrictions, and reporting requirements of state and
37 federal categorical programs often create barriers toward the effective

1 use of resources for addressing the multiple problems of at-risk
2 families and children.

3 The purposes of this chapter are (1) to modify public policy and
4 programs to empower communities to support and respond to the needs of
5 individual families and children ~~((and))~~; (2) to improve the
6 responsiveness of services for children and families at risk by
7 facilitating greater coordination and flexibility in the use of funds
8 by state and local services agencies; (3) to establish a children and
9 family services system that utilizes and integrates resources available
10 at the state, regional, local, and community levels; (4) to build upon
11 local efforts already in place to accomplish the purposes of chapter
12 . . . , Laws of 1994 (this act); (5) to bring together representatives
13 of a broad range of local agencies, organizations, and individuals to
14 develop an integrated children and family services system at the local
15 level; (6) to provide data on unmet need and emerging issues that may
16 require further state and local action; and (7) to partially
17 decentralize and reconfigure children and family services, which may
18 include those currently administered by the department of social and
19 health services, the department of community, trade, and economic
20 development, the department of health, the employment security
21 department, and the office of the superintendent of public instruction.

22 **Sec. 3.** RCW 70.190.010 and 1992 c 198 s 3 are each amended to read
23 as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Comprehensive plan" or "plan" means a two-year action plan and
27 a ten-year strategic plan that identifies achievable outcomes for
28 children and families, examines available resources and unmet needs
29 ~~((for))~~, and designs an integrated system of services for children and
30 families, as provided in section 8 of this act, for a city with a
31 population in excess of one hundred thousand, an Indian tribe, a county
32 or a multicounty area(~~(, barriers that limit the effective use of~~
33 resources, and a plan to address these issues that is broadly
34 supported)).

35 (2) "Participating state agencies" means the office of the
36 superintendent of public instruction, the department of social and
37 health services, the department of health, the employment security
38 department, the department of community, trade, and economic

1 development, the office of financial management, and such other
2 departments as may be specifically designated by the governor.

3 (3) "Family policy council" or "council" means the superintendent
4 of public instruction, the secretary of social and health services, the
5 secretary of health, the commissioner of the employment security
6 department, ~~((and))~~ the director of the department of community, trade,
7 and economic development, and the director of the office of financial
8 management, or their designees, one legislator from each caucus of the
9 senate and house of representatives, and one representative of the
10 governor. One representative each from counties, cities or towns, and
11 school districts, two representatives of children and family services
12 providers, two citizens with a demonstrated interest in children, one
13 representative of the business community and one representative of
14 organized labor who has demonstrated an interest in children, also
15 shall be appointed by the governor to serve on the council.

16 (4) "Outcome ~~((based))~~ standard" means a defined and measurable
17 ~~((outcomes and indicators that make it possible for communities to))~~
18 standard against which the state and communities can evaluate progress
19 in meeting their goals and ~~((whether systems))~~ that can be used to
20 determine whether community family councils are fulfilling their
21 responsibilities.

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

28 ~~((6) "Consortium))~~ "Community family council" or "community council"
29 means ~~((a diverse group of individuals that includes at least~~
30 representatives of local service providers, service recipients, local
31 government administering or funding children or family service
32 programs, participating state agencies, school districts, existing
33 children's commissions, ethnic and racial minority populations, and
34 other interested persons organized for the purpose of designing and
35 providing collaborative and coordinated services under this chapter.
36 Consortiums shall represent a county, multicounty, or municipal
37 service area. In addition, consortiums may represent Indian tribes
38 applying either individually or collectively)) an entity, other than a
39 state agency, established pursuant to section 5 of this act.

1 forces, community organizations providing support to families, such as
2 churches and neighborhood associations, business, labor, local economic
3 development and job training programs, housing organizations, local law
4 and justice councils, juvenile courts, children and family services
5 providers, regional support networks, county developmental disabilities
6 boards, county drug and alcohol boards, school districts, community
7 action agencies, cities or towns, local offices of state agencies,
8 local health departments and districts, and any other person or entity
9 that contracts with the state or local government to provide services
10 to children and their families. If a county fails to convene a meeting
11 by July 1, 1994, the family policy council may authorize an alternative
12 local organization to convene the meeting.

13 (2) At the initial meeting of the consortium, a representative of
14 the family policy council or its participating state agencies shall
15 present an overview of chapter . . . , Laws of 1994 (this act),
16 including its purpose and philosophy, and the role and responsibilities
17 of community family councils. The consortium convened under subsection
18 (1) of this section shall:

19 (a) Determine the membership of the community family council. A
20 community family council shall consist of not less than nine, nor more
21 than twenty-five members. The chair of the council shall be a lay
22 person and shall be chosen by the consortium. Of the remaining
23 members: One-fourth shall represent citizens, including parents,
24 youth, business, religious institutions, and neighborhood associations;
25 one-fourth shall represent local government, including juvenile courts;
26 one-fourth shall represent children and family service providers; and
27 one-fourth shall be individuals with demonstrated involvement in
28 children's issues. Membership of the community family council shall be
29 culturally diverse and adequately reflect the racial and cultural
30 composition of the community. Community family council members shall
31 serve a term of three years and until their successors are designated
32 by the council. Initial membership terms shall be staggered. Members
33 shall not be compensated for the performance of their duties as members
34 of the council, but may be reimbursed for essential travel and per diem
35 expenses to ensure performance of the council's duties.

36 The family policy council shall have final approval authority of
37 the membership of each community family council to ensure that the
38 requirements of this subsection (2)(a) have been met.

1 (b) Solicit nominations for community family council members from
2 the various groups represented at the meeting. Each group to be
3 represented shall select its own representatives. If, however, a
4 particular group whose representation is required on the community
5 family council cannot agree on a nominee or is not represented at the
6 meeting, the community family council's chair shall select the nominee.

7 (c) Define the jurisdiction of the community family council to
8 include a county, multicounty area, a city with a population in excess
9 of one hundred fifty thousand, or a tribal government. If a city or
10 tribal government forms its own community family council, its
11 comprehensive plan shall describe how it will be coordinated with the
12 plan of the county in which it is located. Community family councils
13 may break down into smaller geographic areas for development of
14 community specific plans, which shall then be incorporated into the
15 jurisdiction-wide comprehensive plan.

16 (d) Designate a lead agency or entity. The lead agency shall be
17 primarily responsible for coordinating development and implementation
18 of the comprehensive plan, and shall serve as the fiscal agent for
19 receipt and administration of any funds received from the children and
20 family services fund established in section 12 of this act. No more
21 than five percent of funds received from the children and family
22 services fund, or of funds allocated to programs for which waivers have
23 been received under section 15 of this act may be expended for
24 administration by a lead agency. In its review of comprehensive plans
25 submitted pursuant to section 8 of this act, the family policy council
26 shall determine whether the designated lead agency has the demonstrated
27 capability to carry out the responsibilities established under this
28 subsection.

29 (3) All meetings of the community family council are subject to the
30 open public meetings act under chapter 42.30 RCW.

31 (4) The first meeting of the community family council shall occur
32 no later than October 1, 1994.

33 NEW SECTION. **Sec. 6.** DEVELOPMENT AND IMPLEMENTATION OF
34 COMPREHENSIVE PLANS. (1) The community family council shall promote
35 wellness for children and families in its jurisdiction, and oversee the
36 development and implementation of an integrated system of services for
37 children and their families, and of a twice-a-year comprehensive plan.

1 (2) The community family council shall take the following actions
2 in development of its comprehensive plan:

3 (a) Utilize state-wide data provided by the family policy council.
4 Such data may include, but is not limited to census information and
5 free and reduced price school lunch participation rates;

6 (b) Define outcome standards, with numeric goals, for its
7 jurisdiction, based upon the outcome standards in section 4 of this
8 act. The outcome standards in the ten-year strategic plan shall
9 reflect long-term goals, and the two-year action plan shall be designed
10 to achieve measurable progress toward meeting those goals;

11 (c) Define the needs of children and families that must be
12 addressed to achieve the outcome standards defined in (b) of this
13 subsection;

14 (d) Conduct a local needs assessment, in accordance with rules
15 adopted by the family policy council for this purpose, that examines
16 services available to meet the needs identified pursuant to (c) of this
17 subsection. The assessment shall identify:

18 (i) Available services that function effectively;

19 (ii) Available services that do not function effectively and why
20 those services do not function effectively;

21 (iii) Duplication of available services; and

22 (iv) Needed services that are unavailable.

23 If a jurisdiction served by a community family council has
24 conducted a needs assessment that substantially meets the requirements
25 of this subsection within two years prior to establishment of the
26 council, an additional needs assessment shall not be required;

27 (e) Prepare the comprehensive plan and such later amendments to the
28 plan as are necessary, as provided in sections 7 and 8 of this act.
29 Prior to finalization of the comprehensive plan, the council shall hold
30 a public hearing to solicit oral and written comments on the draft
31 plan. A summary of the public response regarding the appropriateness
32 and effectiveness of the comprehensive plan shall be submitted to the
33 family policy council with the plan;

34 (f) Submit the comprehensive plan to the legislative authority of
35 each county, city, town, or tribal government within the council's
36 jurisdiction for review prior to submission to the family policy
37 council. The legislative authority shall hold a public hearing to
38 solicit comments on the plan. Any oral or written response of the

1 legislative authority to the plan and any testimony given at the public
2 hearing shall be submitted to the family policy council with the plan;

3 (g) Submit the comprehensive plan to the family council for review
4 and approval on or before October 1, 1996, as provided in section 14 of
5 this act.

6 (3) The community family council also shall:

7 (a) Monitor progress of key outcomes related to the comprehensive
8 plan;

9 (b) Adopt calendar year budgets for the council within the funds
10 available and forward them to the lead agency; and

11 (c) Make interim recommendations to the family policy council, and
12 other state and local agencies on how services might be improved in the
13 interim until the final comprehensive plan is adopted.

14 NEW SECTION. **Sec. 7.** ENSURE PUBLIC PARTICIPATION. Each community
15 family council shall establish procedures providing for early and
16 continuous public participation in the development and amendment of
17 comprehensive plans. The procedures shall provide for broad
18 dissemination of proposals, opportunity for written comments, public
19 meetings after effective notice, provision for open discussion at each
20 community family council meeting, and consideration of and response to
21 public comments. Community family councils are encouraged to establish
22 task forces, work groups, or other advisory committees to broaden
23 public participation in their efforts.

24 NEW SECTION. **Sec. 8.** COMPREHENSIVE PLAN COMPONENTS. (1) The
25 submission of a comprehensive plan meeting the requirements of this
26 section to the family policy council shall be a condition precedent to
27 receipt of a waiver from categorical program requirements authorized in
28 section 15 of this act.

29 (2) A comprehensive plan shall include:

30 (a) Defined, measurable outcome standards for the jurisdiction
31 served by the plan based upon the standards developed under section 4
32 of this act. The outcome standards in the ten-year strategic plan
33 shall reflect long-term goals, and the two-year action plan shall be
34 designed to achieve measurable progress toward meeting those goals;

35 (b) Results of the local needs assessment conducted pursuant to
36 section 6(2) of this act;

1 (c) An explanation of how the principles of RCW 74.14A.025 and
2 70.190.005 are reflected in the plan;

3 (d) An assessment of the economic status of the community, economic
4 opportunities available within the community, and recommendations
5 pertaining to coordination of economic and social development efforts;

6 (e) A detailed description of how the plan will meet its outcome
7 standards. This description shall include an explanation of:

8 (i) How appropriate needs of children and families in the community
9 family council's jurisdiction will be identified and addressed, giving
10 consideration to the use of uniform application forms and assessment
11 tools, case management services, and centralized information and
12 referral services;

13 (ii) How emphasis has been placed on contracting with, or utilizing
14 existing service delivery systems and entities that have in the past
15 provided quality services to children and their families in the
16 jurisdiction served by the community family council and have
17 demonstrated an interest in continuing to provide such services;

18 (iii) Current interagency efforts to collaborate in the delivery of
19 services to children and families and to coordinate services to
20 children and families across service systems, the barriers to achieving
21 full collaboration and coordination, and how full collaboration and
22 coordination will be achieved under the comprehensive plan;

23 (iv) How funding for existing services will be coordinated to
24 create more flexibility; and

25 (v) How children and families will benefit from the restructuring
26 of children and family services proposed in the plan, with specific
27 attention to the defined outcome standards;

28 (f) Designation of the lead agency;

29 (g) Identification of categorical program requirement waivers or
30 grants from the children and family services fund being requested, and
31 justification of the need for such waiver or funding, including an
32 explanation of how children and families will benefit from the grant or
33 waiver;

34 (h) Identification of existing interagency efforts addressing
35 children and family services issues in the council's jurisdiction and
36 how those efforts will be incorporated into the system established
37 through the plan;

1 (i) Assurances that services provided under the plan will be
2 culturally relevant and accessible to communities of color and
3 underserved populations; and

4 (j) Assurance that funding for services to children and families by
5 counties, cities, towns, and tribal governments in the jurisdiction
6 served by the council will be maintained at levels no less than those
7 in effect on January 1, 1994.

8 (3) Each community family council shall submit its comprehensive
9 plan to the family policy council on or before October 1, 1996. Plans
10 submitted prior to that date shall be promptly reviewed and acted upon
11 by the family policy council. If a jurisdiction fails to establish a
12 community family council or to submit a comprehensive plan by that
13 date, the family policy council shall designate a single state agency
14 to assume responsibility for development of a comprehensive plan, in
15 consultation with interested persons and organizations in the
16 jurisdiction.

17 (4) Upon request of the family policy council, community family
18 councils shall cooperate with, and participate in any evaluation of,
19 the efforts undertaken through this chapter.

20 NEW SECTION. **Sec. 9.** The designated lead agency of the community
21 family council is authorized to receive and spend funds received
22 through the state under this chapter, any federal funds received
23 through any state agency, any local funds made available by political
24 subdivisions within the jurisdiction of the community family council
25 for planning or service delivery, or any private gifts, donations,
26 funds, or property received by it for the benefit of children and
27 families.

28 **PART III: THE FAMILY POLICY COUNCIL**

29 **Sec. 10.** RCW 70.190.030 and 1992 c 198 s 5 are each amended to
30 read as follows:

31 POWERS AND DUTIES OF THE FAMILY POLICY COUNCIL. ~~((+1))~~ The family
32 policy council shall ~~((annually solicit from consortiums proposals to~~
33 ~~facilitate greater flexibility, coordination, and responsiveness of~~
34 ~~services at the community level. The council shall consider such~~
35 ~~proposals only if:~~

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

1 ~~(b) The consortium has identified and agreed to contribute matching~~
2 ~~funds as specified in RCW 70.190.010; and~~

3 ~~(c) An interagency agreement has been prepared by the family policy~~
4 ~~council and the participating local service and support agencies that~~
5 ~~governs the use of funds, specifies the relationship of the project to~~
6 ~~the principles listed in RCW 74.14A.025, and identifies specific~~
7 ~~outcomes and indicators; and~~

8 ~~(d) Funds are to be used to provide support or services needed to~~
9 ~~implement a family's or child's case plan that are not otherwise~~
10 ~~adequately available through existing categorical services or community~~
11 ~~programs; [and]~~

12 ~~(e) The consortium has provided written agreements that identify a~~
13 ~~lead agency that will assume fiscal and programmatic responsibility for~~
14 ~~the project, and identify participants in a consortium council with~~
15 ~~broad participation and that shall have responsibility for ensuring~~
16 ~~effective coordination of resources; and~~

17 ~~(f) The consortium has designed into its comprehensive plan~~
18 ~~standards for accountability. Accountability standards include, but~~
19 ~~are not limited to, the public hearing process eliciting public comment~~
20 ~~about the appropriateness of the proposed comprehensive plan. The~~
21 ~~consortium must submit reports to the family policy council outlining~~
22 ~~the public response regarding the appropriateness and effectiveness of~~
23 ~~the comprehensive plan.~~

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

26 ~~(3) The participating state agencies shall identify funds to~~
27 ~~implement the proposed projects from budget requests or existing~~
28 ~~appropriations for services to children and their families.)):~~

29 (1) Be responsible for state-wide planning and policy development
30 for services to children and families, in consultation with community
31 family councils;

32 (2) Initiate an interagency effort to identify opportunities to
33 utilize common program applications and eligibility criteria,
34 assessment tools, and reporting and recordkeeping procedures for
35 children and family services funded by participating state agencies;

36 (3) Define children and family services outcome standards as
37 provided in section 4 of this act;

1 (4) Review and act upon requests from community family councils for
2 grants from the children and family services fund submitted pursuant to
3 section 13 of this act;

4 (5) Review and act upon comprehensive plans as provided in section
5 14 of this act;

6 (6) Review and act upon requests for waivers submitted pursuant to
7 section 15 of this act;

8 (7) Establish a uniform system of reporting and collecting
9 statistical data from agencies serving children and families, with the
10 department of health as the primary state repository of this data;

11 (8) Negotiate federal waivers as necessary;

12 (9) Adopt rules as necessary to implement this chapter, as provided
13 in chapter 34.05 RCW; and

14 (10) Beginning on November 1, 1994, make annual reports to the
15 governor and the appropriate legislative committees of the legislature
16 on the following:

17 (a) The status and results of efforts undertaken pursuant to
18 subsection (2) of this section;

19 (b) Grants awarded pursuant to section 13 of this act;

20 (c) Waivers requested by community family councils pursuant to
21 section 15 of this act;

22 (d) The progress in meeting outcome standards established pursuant
23 to section 4 of this act; and

24 (e) Recommended statutory changes to improve the delivery and
25 financing of services to children and their families.

26 NEW SECTION. Sec. 11. TECHNICAL ASSISTANCE, GRANTS, AND MEDIATION
27 SERVICES. (1) The family policy council shall provide technical and
28 financial assistance and incentives to community family councils to
29 encourage and facilitate the adoption and implementation of
30 comprehensive plans.

31 (2) The family policy council may issue grants from the children
32 and family services fund established pursuant to section 12 of this act
33 to provide direct financial assistance to community family councils for
34 the preparation of comprehensive plans under this chapter. The council
35 may establish provisions for matching funds to conduct activities under
36 this subsection. Grants may be expended for any purpose directly
37 related to the preparation of a comprehensive plan as the family policy
38 council and the community family council may agree, including citizen

1 participation, conducting needs assessments, data gathering, the
2 retention of consultants, and other related purposes.

3 (3) The family policy council and participating state agencies
4 shall provide technical assistance to community family councils, upon
5 request, that includes but is not limited to assistance with:
6 Initiation of collaborative efforts to plan services for children and
7 families, coordination of service delivery for children and families
8 across service systems, development of comprehensive plans, allowable
9 use of federal and state funds, feedback on the progress of local
10 restructuring efforts, implementation of comprehensive plans and
11 training and professional development for front line workers who work
12 directly with children and their families. Technical assistance also
13 shall include attendance at the initial meeting of each consortium, as
14 provided in section 5(2) of this act, and identification and
15 distribution of state-wide data and relevant research.

16 (4) The family policy council shall provide mediation services to
17 resolve disputes within and between community family councils.

18 NEW SECTION. **Sec. 12.** CHILDREN AND FAMILY SERVICES FUND. The
19 children and family services fund is created in the state treasury.
20 Moneys in the account may be spent only after appropriation. Moneys in
21 the account may be expended only for:

22 (1) Grants of flexible funds to designated lead agencies of
23 community family councils to facilitate improved delivery of services
24 to children and families, as provided in section 13 of this act; and

25 (2) Technical assistance and planning grants to designated lead
26 agencies of community family councils for development of comprehensive
27 plans, as provided in section 11 of this act.

28 NEW SECTION. **Sec. 13.** REQUESTS FOR GRANTS FROM THE CHILDREN AND
29 FAMILY SERVICES FUND. (1) Lead agencies, on behalf of community
30 family councils, may make requests for grants from the children and
31 family services fund for:

32 (a) Development of comprehensive plans;

33 (b) Implementation of comprehensive plans; or

34 (c) Improved delivery of services to children and families pending
35 completion of a comprehensive plan, if the community family council has
36 completed the needs assessment described in section 6(2) of this act,
37 identified unmet needs in their jurisdiction, and met any other

1 requirements established by the family policy council in rule. The
2 request for funds shall describe the intended use of the funds and
3 demonstrate that the intended use is consistent with the principles
4 stated in RCW 74.14A.020 and 70.190.005.

5 (2) In adopting rules to implement this section, the family policy
6 council shall consider the population of the area served, the needs of
7 the area, and the ability of the community to provide funds for and
8 participate in the coordination and delivery of services for children
9 and their families. The family policy council may condition the
10 receipt of a grant under subsection (1) (b) or (c) of this section on
11 the following:

12 (a) Availability of information and referral services for children
13 and their families in the community served by the community family
14 council;

15 (b) Coordination of services for children and families to ensure
16 maximum utilization of all available services and funding; and

17 (c) Preparation of a comprehensive plan for present and future
18 development of services and for reasonable progress toward the
19 coordination of all services for children and their families.

20 (3) The family policy council shall review applications from lead
21 agencies made under this section. The family policy council may
22 approve an application if it meets the requirements of this section and
23 any rules adopted by the family policy council.

24 NEW SECTION. **Sec. 14.** REVIEW OF COMPREHENSIVE PLANS. (1) The
25 family policy council shall review comprehensive plans submitted
26 pursuant to sections 6 and 8 of this act. The council may disapprove
27 a comprehensive plan in whole or in part only upon making specific
28 findings that the local plan substantially fails to comply with the
29 principles stated in RCW 74.14A.020 or 70.190.005 or with section 8 of
30 this act. If the council disapproves a comprehensive plan in whole,
31 the council shall identify with particularity the manner in which the
32 plan is deficient. If the council disapproves only part of the plan,
33 the remainder of the plan may be implemented. The council shall assist
34 in remedying the deficiencies in the comprehensive plan. The council
35 shall set a date by which the comprehensive plan or the deficient
36 portions of the plan shall be revised and resubmitted.

1 (2) Upon approval of a comprehensive plan, the family policy
2 council shall enter into contracts with designated lead agencies of
3 community family councils. The contracts shall:

4 (a) Reflect the principles stated in RCW 74.14A.020 and 70.190.005;

5 (b) Clearly articulate the responsibilities of the lead agency and
6 the community family council;

7 (c) Clearly state the terms of any grants issued pursuant to
8 section 13 of this act or any waivers granted pursuant to section 15 of
9 this act that are part of a comprehensive plan;

10 (d) Ensure that coordination within and across counties is
11 maximized;

12 (e) Ensure that community family councils have access to sufficient
13 and timely data to make informed and equitable funding decisions; and

14 (f) Include procedures for taking action in identified incidents of
15 misfeasance or nonfeasance by the lead agency or a community family
16 council.

17 NEW SECTION. **Sec. 15.** FAMILY POLICY COUNCIL WAIVER AUTHORITY.

18 (1) The family policy council may grant waivers of state statutory and
19 regulatory categorical requirements applicable to programs intended to
20 address the needs of children and families in the state. Exercise of
21 this authority by the family policy council shall be undertaken as
22 provided in this section and is subject to legislative disapproval of
23 waivers conditionally granted by the council.

24 (2) Waivers may be requested by community family councils, as part
25 of a council's comprehensive plan, to utilize categorical program funds
26 in a more flexible fashion. In a waiver requested pursuant to this
27 section, program funds shall be used to address the need for which the
28 funds are appropriated. However, flexibility may be granted with
29 respect to the children or families who receive services, or the type
30 of services provided to address the need.

31 (3) The family policy council shall review and conditionally
32 approve, or disapprove, waiver requests made by community family
33 councils. Waivers receiving conditional approval from the family
34 policy council shall be described in the report submitted to the
35 legislature pursuant to RCW 70.190.030(10). If the legislature does
36 not take action to disapprove a waiver by the last day of the next
37 regular session after submission of the report, the family policy
38 council may grant final approval of the waiver.

1 mental, and medical needs of children and youth; and (b) incorporate an
2 array of family support options, to individual needs and choices of the
3 child and family. The programs must be ready for implementation by
4 (~~January 1, 1995~~) July 1, 1996;

5 (3) (~~Conduct an evaluation of all children currently within the~~
6 ~~foster care agency caseload to identify those children who meet the~~
7 ~~criteria set forth in this section. The evaluation shall be completed~~
8 ~~by January 1, 1994. All children entering the foster care system after~~
9 ~~January 1, 1994, must be evaluated for identification of long term~~
10 ~~needs within thirty days of placement;~~

11 (~~4~~)) Study and develop a comprehensive plan for the evaluation and
12 identification of all children and youth in need of long-term care or
13 assistance, including, but not limited to, the mentally ill,
14 developmentally disabled, medically fragile, seriously emotionally or
15 behaviorally disabled, and physically impaired;

16 (~~(5)~~) (4) Study and develop a plan for the children and youth in
17 need of long-term care or assistance to ensure the coordination of
18 services between the department's divisions and between other state
19 agencies who are involved with the child or youth; and

20 (~~(6)~~) (5) Study and develop guidelines for transitional services,
21 between long-term care programs, based on the person's age or mental,
22 physical, emotional, or medical condition(~~;~~ and

23 ~~(7) Study and develop a statutory proposal for the emancipation of~~
24 ~~minors and report its findings and recommendations to the legislature~~
25 ~~by January 1, 1994)).~~

26 NEW SECTION. Sec. 19. A new section is added to chapter 43.131
27 RCW to read as follows:

28 SUNSET REVIEW OF FAMILY POLICY COUNCIL. The family policy council
29 and its powers and duties shall terminate effective June 30, 2001.

30 NEW SECTION. Sec. 20. A new section is added to chapter 43.131
31 RCW to read as follows:

32 SUNSET REVIEW OF FAMILY POLICY COUNCIL. The following acts or
33 parts of acts, as now existing or hereafter amended, are each repealed,
34 effective June 30, 2002.

35 (1) RCW 70.190.005 and section 2 of this act & 1992 c 198 s 1;

36 (2) RCW 70.190.010 and section 3 of this act & 1992 c 198 s 3;

37 (3) Section 4 of this act;

- 1 (4) Section 5 of this act;
- 2 (5) Section 6 of this act;
- 3 (6) Section 7 of this act;
- 4 (7) Section 8 of this act;
- 5 (8) Section 9 of this act;
- 6 (9) RCW 70.190.030 and section 10 of this act & 1992 c 198 s 5;
- 7 (10) Section 11 of this act;
- 8 (11) Section 12 of this act;
- 9 (12) Section 13 of this act;
- 10 (13) Section 14 of this act;
- 11 (14) Section 15 of this act;
- 12 (15) Section 16 of this act; and
- 13 (16) Section 17 of this act.

14 NEW SECTION. **Sec. 21.** A new section is added to chapter 43.84 RCW
15 to read as follows:

16 The children and family services fund established under section 12
17 of this act is exempt from the provisions of RCW 43.84.092 and shall
18 receive its proportionate share of earnings based upon the account's
19 average daily balance for each monthly period.

20 NEW SECTION. **Sec. 22.** Sections 4 through 9 and 11 through 17 of
21 this act are each added to chapter 70.190 RCW.

22 NEW SECTION. **Sec. 23.** CAPTIONS AND HEADINGS. Captions and part
23 headings as used in this act constitute no part of the law.

24 NEW SECTION. **Sec. 24.** APPROPRIATIONS. The sum of six million
25 dollars, or as much thereof as may be necessary, is appropriated for
26 the biennium ending June 30, 1995, from the general fund--state to the
27 children and family services fund for the following purposes:

28 (1) One million dollars of this amount is provided solely for
29 technical assistance to community family councils and their lead
30 agencies, as provided in section 11 of this act;

31 (2) Two million dollars of this amount is provided solely for
32 grants to lead agencies, on behalf of community family councils, for
33 comprehensive plan development, as provided in sections 6 through 8 of
34 this act;

1 (3) Three million dollars of this amount is provided solely for
2 grants to lead agencies, on behalf of community family councils, for
3 direct services to children and families as provided in section 13 of
4 this act.

5 NEW SECTION. **Sec. 25.** EMERGENCY. This act is necessary for the
6 immediate preservation of the public peace, health, or safety, or
7 support of the state government and its existing public institutions,
8 and shall take effect immediately.

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