

2 **2SHB 1862** - S COMM AMD

3 By Committee on Human Services & Corrections

4

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

7 "Sec. 1. RCW 13.34.030 and 1995 c 311 s 23 are each amended to  
8 read as follows:

9 For purposes of this chapter:

10 (1) "Alternative response system" means voluntary family-centered  
11 services that are: (a) Provided by an entity with which the department  
12 contracts; and (b) intended to increase the strengths and cohesiveness  
13 of families that the department determines present a low risk of child  
14 abuse or neglect.

15 (2) "Child" and "juvenile" means any individual under the age of  
16 eighteen years.

17 ~~((+2))~~ (3) "Current placement episode" means the period of time  
18 that begins with the most recent date that the child was removed from  
19 the home of the parent, guardian, or legal custodian for purposes of  
20 placement in out-of-home care and continues until the child returns  
21 home, an adoption decree or guardianship order is entered, or the  
22 dependency is dismissed, whichever occurs soonest. If the most recent  
23 date of removal occurred prior to the filing of a dependency petition  
24 under this chapter or after filing but prior to entry of a disposition  
25 order, such time periods shall be included when calculating the length  
26 of a child's current placement episode.

27 ~~((+3))~~ (4) "Dependency guardian" means the person, nonprofit  
28 corporation, or Indian tribe appointed by the court pursuant to RCW  
29 13.34.232 for the limited purpose of assisting the court in the  
30 supervision of the dependency.

31 ~~((+4))~~ (5) "Dependent child" means any child:

32 (a) Who has been abandoned; that is, where the child's parent,  
33 guardian, or other custodian has expressed either by statement or  
34 conduct, an intent to forego, for an extended period, parental rights  
35 or parental responsibilities despite an ability to do so. If the court  
36 finds that the petitioner has exercised due diligence in attempting to

1 locate the parent, no contact between the child and the child's parent,  
2 guardian, or other custodian for a period of three months creates a  
3 rebuttable presumption of abandonment, even if there is no expressed  
4 intent to abandon;

5 (b) Who is abused or neglected as defined in chapter 26.44 RCW by  
6 a person legally responsible for the care of the child;

7 (c) Who has no parent, guardian, or custodian capable of adequately  
8 caring for the child, such that the child is in circumstances which  
9 constitute a danger of substantial damage to the child's psychological  
10 or physical development; or

11 (d) Who has a developmental disability, as defined in RCW  
12 71A.10.020 and whose parent, guardian, or legal custodian together with  
13 the department determines that services appropriate to the child's  
14 needs can not be provided in the home. However, (a), (b), and (c) of  
15 this subsection may still be applied if other reasons for removal of  
16 the child from the home exist.

17 ~~((+5))~~ (6) "Guardian" means the person or agency that: (a) Has  
18 been appointed as the guardian of a child in a legal proceeding other  
19 than a proceeding under this chapter; and (b) has the legal right to  
20 custody of the child pursuant to such appointment. The term "guardian"  
21 shall not include a "dependency guardian" appointed pursuant to a  
22 proceeding under this chapter.

23 ~~((+6))~~ (7) "Guardian ad litem" means a person, appointed by the  
24 court to represent the best interest of a child in a proceeding under  
25 this chapter, or in any matter which may be consolidated with a  
26 proceeding under this chapter. A "court-appointed special advocate"  
27 appointed by the court to be the guardian ad litem for the child, or to  
28 perform substantially the same duties and functions as a guardian ad  
29 litem, shall be deemed to be guardian ad litem for all purposes and  
30 uses of this chapter.

31 ~~((+7))~~ (8) "Guardian ad litem program" means a court-authorized  
32 volunteer program, which is or may be established by the superior court  
33 of the county in which such proceeding is filed, to manage all aspects  
34 of volunteer guardian ad litem representation for children alleged or  
35 found to be dependent. Such management shall include but is not  
36 limited to: Recruitment, screening, training, supervision, assignment,  
37 and discharge of volunteers.

38 ~~((+8))~~ (9) "Out-of-home care" means placement in a foster family  
39 home or group care facility licensed pursuant to chapter 74.15 RCW or

1 placement in a home, other than that of the child's parent, guardian,  
2 or legal custodian, not required to be licensed pursuant to chapter  
3 74.15 RCW.

4 (~~(9)~~) (10) "Preventive services" means preservation services, as  
5 defined in chapter 74.14C RCW, and other reasonably available services  
6 capable of preventing the need for out-of-home placement while  
7 protecting the child.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34 RCW  
9 to read as follows:

10 (1) The department shall contract for delivery of services for at  
11 least two but not more than three models of alternative response  
12 systems. The services shall be reasonably available throughout the  
13 state but need not be sited in every county in the state. Subject to  
14 such conditions and limitations as may be specified in the biennial  
15 appropriations act, there shall be a minimum of nine sites state-wide.

16 (2) The systems shall provide delivery of services in the least  
17 intrusive manner reasonably likely to achieve improved family  
18 cohesiveness, prevention of rereferrals of the family for alleged abuse  
19 or neglect, and improvement in the health and safety of children.

20 (3) The department shall identify and prioritize risk and  
21 protective factors associated with the type of abuse or neglect  
22 referrals that are appropriate for services delivered by alternative  
23 response systems. Contractors who provide services through an  
24 alternative response system shall use the factors in determining which  
25 services to deliver, consistent with the provisions of subsection (2)  
26 of this section.

27 (4) The department shall identify appropriate data to determine and  
28 evaluate outcomes of the services delivered by the alternative response  
29 systems. All contracts for delivery of alternative response system  
30 services shall include provisions and funding for data collection.

31 (5) The Washington institute for public policy shall prepare and  
32 conduct an evaluation of the services under contracts executed under  
33 this section. The evaluation, which shall include the factors  
34 identified in subsection (2) of this section, must include an analysis  
35 of the cost-effectiveness of the services, the rate of rereferrals of  
36 families who initially receive the services to the department for  
37 alleged abuse or neglect, and the rate of rereferrals of families  
38 compared to similarly situated families who do not receive services

1 with those receiving services under the contracts. The analysis of the  
2 rereferrals shall review substantiation rates, comparative levels of  
3 risk at the time of initial service delivery and conclusion of service,  
4 and rereferral, if any. The institute for public policy shall do a  
5 comparative analysis of the effectiveness of the models used. The  
6 evaluation shall be completed not later than September 1, 2004.

7 (6) The department shall have in place, not later than July 1,  
8 2001, contracts creating sufficient capacity to provide alternative  
9 response system services to at least sixty percent of the families who  
10 meet the criteria for such services.

11 (7) This section expires July 1, 2005.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.34 RCW  
13 to read as follows:

14 The court may order a parent or family to participate in the  
15 services offered by an alternative response system only when the  
16 department recommends such disposition and the services are readily  
17 available.

18 NEW SECTION. **Sec. 4.** This act takes effect January 1, 1998."

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21  
22 On page 1, line 1 of the title, after "systems;" strike the  
23 remainder of the title and insert "amending RCW 13.34.030; adding new  
24 sections to chapter 13.34 RCW; providing an expiration date; and  
25 providing an effective date."

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