
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2046

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Cooke, Kessler and Boldt)

Read first time 03/10/97.

1 AN ACT Relating to foster care; amending RCW 74.13.031 and
2 74.13.280; adding new sections to chapter 74.13 RCW; adding a new
3 section to chapter 43.20A RCW; creating a new section; providing an
4 effective date; and declaring an emergency.

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

6 **Sec. 1.** RCW 74.13.031 and 1995 c 191 s 1 are each amended to read
7 as follows:

8 The department shall have the duty to provide child welfare
9 services as defined in RCW 74.13.020, and shall:

10 (1) Develop, administer, supervise, and monitor a coordinated and
11 comprehensive plan that establishes, aids, and strengthens services for
12 the protection and care of homeless, runaway, dependent, or neglected
13 children.

14 (2) (~~Develop a recruiting plan for recruiting~~) Recruit an
15 adequate number of prospective adoptive and foster homes, both regular
16 and specialized, i.e. homes for children of ethnic minority, including
17 Indian homes for Indian children, sibling groups, handicapped and
18 emotionally disturbed, teens, pregnant and parenting teens, and
19 annually (~~submit the plan for review~~) report the department's success

1 in meeting the need for adoptive and foster home placements to the
2 appropriate committees of the house of representatives and senate
3 ((committees on social and health services)). The ((plan)) report
4 shall include a section entitled "Foster Home Turn-Over, Causes and
5 Recommendations."

6 (3) Investigate complaints of neglect, abuse, or abandonment of
7 children, and on the basis of the findings of such investigation, offer
8 child welfare services in relation to the problem to such parents,
9 legal custodians, or persons serving in loco parentis, and/or bring the
10 situation to the attention of an appropriate court, or another
11 community agency: PROVIDED, That an investigation is not required of
12 nonaccidental injuries which are clearly not the result of a lack of
13 care or supervision by the child's parents, legal custodians, or
14 persons serving in loco parentis. If the investigation reveals that a
15 crime may have been committed, the department shall notify the
16 appropriate law enforcement agency.

17 (4) Offer, on a voluntary basis, family reconciliation services to
18 families who are in conflict.

19 (5) Monitor out-of-home placements, on a timely and routine basis,
20 to assure the safety, well-being, and quality of care being provided is
21 within the scope of the intent of the legislature as defined in RCW
22 74.13.010 and 74.15.010, and annually submit a report ((delineating the
23 results)) measuring the extent to which the department achieved the
24 specified goals to the appropriate committees of the house of
25 representatives and senate ((committees on social and health
26 services)).

27 (6) Have authority to accept custody of children from parents and
28 to accept custody of children from juvenile courts, where authorized to
29 do so under law, to provide child welfare services including placement
30 for adoption, and to provide for the physical care of such children and
31 make payment of maintenance costs if needed. Except where required by
32 Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency
33 which receives children for adoption from the department shall
34 discriminate on the basis of race, creed, or color when considering
35 applications in their placement for adoption.

36 (7) Have authority to provide temporary shelter to children who
37 have run away from home and who are admitted to crisis residential
38 centers.

1 (8) Have authority to purchase care for children; and shall follow
2 in general the policy of using properly approved private agency
3 services for the actual care and supervision of such children insofar
4 as they are available, paying for care of such children as are accepted
5 by the department as eligible for support at reasonable rates
6 established by the department.

7 (9) Establish a children's services advisory committee which shall
8 assist the secretary in the development of a partnership plan for
9 utilizing resources of the public and private sectors, and advise on
10 all matters pertaining to child welfare, licensing of child care
11 agencies, adoption, and services related thereto. At least one member
12 shall represent the adoption community.

13 (10) Have authority to provide continued foster care or group care
14 for individuals from eighteen through twenty years of age to enable
15 them to complete their high school or vocational school program.

16 (11) Have authority within funds appropriated for foster care
17 services to purchase care for Indian children who are in the custody of
18 a federally recognized Indian tribe or tribally licensed child-placing
19 agency pursuant to parental consent, tribal court order, or state
20 juvenile court order; and the purchase of such care shall be subject to
21 the same eligibility standards and rates of support applicable to other
22 children for whom the department purchases care.

23 Notwithstanding any other provision of RCW 13.32A.170 through
24 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
25 services to be provided by the department of social and health services
26 under subsections (4), (6), and (7) of this section, subject to the
27 limitations of these subsections, may be provided by any program
28 offering such services funded pursuant to Titles II and III of the
29 federal juvenile justice and delinquency prevention act of 1974.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
31 to read as follows:

32 The department shall provide a foster parent liaison position in
33 each department region. The department shall contract with a private
34 nonprofit organization to provide the foster parent liaison function.
35 The foster parent liaison shall enhance the working relationship
36 between department case workers and foster parents. The foster parent
37 liaison shall provide expedited assistance for the unique needs and
38 requirements posed by special needs foster children in out-of-home

1 care. The foster parent liaison shall reduce the turnover of foster
2 parents by twenty percent from the historical turnover rate in each
3 region.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.13 RCW
5 to read as follows:

6 The department shall increase the number of adoptive and foster
7 families available to accept children through an intensive recruitment
8 and retention program. The department shall contract with a private
9 agency to coordinate foster care and adoptive home recruitment
10 activities for both the department and private agencies.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.20A RCW
12 to read as follows:

13 The secretary or the secretary's designee may purchase services
14 from nonprofit agencies for the sole purpose of conducting home studies
15 for legally free children who have been awaiting adoption finalization
16 in foster or group care.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.13 RCW
18 to read as follows:

19 (1) After the effective date of chapter . . . , Laws of . . . (this
20 act), the department shall provide to every foster parent who receives
21 a foster child a passport that contains a complete report containing
22 all known and available information concerning the mental, physical,
23 legal, health, and educational status of the child. The passport shall
24 be provided to the foster parent at the initial physical placement of
25 the child. The department shall update the passport during the
26 regularly scheduled court reviews required under chapter 13.34 RCW.

27 (2) If, on July 1, 1998, the department has failed to completely
28 implement this section, a reduction in force of six full-time
29 equivalent administrative positions shall be applied to the children's
30 administration. The positions affected by this reduction in force
31 shall not include any positions involving the direct provision of
32 services to children and families, licensing, or monitoring of children
33 in care. The funds generated from this reduction in force shall be
34 used to contract for the development and operation of the passport
35 program required by this section.

1 (3) The secretary of the department of social and health services
2 shall certify to the ways and means committee of the senate and the
3 appropriations committee of the house of representatives whether the
4 children's administration has complied with the provisions of this
5 section.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.13 RCW
7 to read as follows:

8 The department shall provide child care for all foster parents who
9 are required to attend meetings, training, and any other out-of-home
10 activities related to their official duties as a foster parent. If the
11 department is unable or unwilling to provide such child care the
12 department shall conduct the activities covered by this section in the
13 foster parent's home or other location acceptable to the foster parent.

14 **Sec. 7.** RCW 74.13.280 and 1995 c 311 s 21 are each amended to read
15 as follows:

16 (1) Except as provided in RCW 70.24.105, whenever a child is placed
17 in out-of-home care by the department or a child-placing agency, the
18 department or agency (~~may~~) shall share information about the child
19 and the child's family with the care provider and (~~may~~) shall consult
20 with the care provider regarding the child's case plan. If the child
21 is dependent pursuant to a proceeding under chapter 13.34 RCW, the
22 department or agency shall keep the care provider informed regarding
23 the dates and location of dependency review and permanency planning
24 hearings pertaining to the child.

25 (2) Any person who receives information about a child or a child's
26 family pursuant to this section shall keep the information confidential
27 and shall not further disclose or disseminate the information except as
28 authorized by law.

29 (3) Nothing in this section shall be construed to limit the
30 authority of the department or child-placing agencies to disclose
31 client information or to maintain client confidentiality as provided by
32 law.

33 NEW SECTION. **Sec. 8.** If specific funding for the purposes of this
34 act, referencing this act by section and bill or chapter number, is not
35 provided by June 30, 1997, in the omnibus appropriations act, this act
36 is null and void.

1 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 July 1, 1997.

--- END ---