

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2046

55th Legislature
1997 Regular Session

Passed by the House April 22, 1997
Yeas 98 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 17, 1997
Yeas 44 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2046** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2046

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

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; providing an effective date; and
4 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))~~) Within available
15 resources, recruit an adequate number of prospective adoptive and
16 foster homes, both regular and specialized, i.e. homes for children of
17 ethnic minority, including Indian homes for Indian children, sibling
18 groups, handicapped and emotionally disturbed, teens, pregnant and
19 parenting teens, and annually (~~((submit the plan for review to the house~~

1 ~~and senate committees on social and health services))~~ report to the
2 governor and the legislature concerning the department's success in:
3 (a) Meeting the need for adoptive and foster home placements; (b)
4 reducing the foster parent turnover rate; (c) completing home studies
5 for legally free children; and (d) implementing and operating the
6 passport program required by section 5 of this act. The ((plan))
7 report shall include a section entitled "Foster Home Turn-Over, Causes
8 and Recommendations."

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

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

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

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

1 (7) Have authority to provide temporary shelter to children who
2 have run away from home and who are admitted to crisis residential
3 centers.

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

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

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

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

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

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

35 Within available resources, the department shall provide a foster
36 parent liaison position in each department region. The department
37 shall contract with a private nonprofit organization to provide the
38 foster parent liaison function. The foster parent liaison shall

1 enhance the working relationship between department case workers and
2 foster parents. The foster parent liaison shall provide expedited
3 assistance for the unique needs and requirements posed by special needs
4 foster children in out-of-home care. Any contract entered into under
5 this section for a foster parent liaison shall include a requirement
6 that the contractor substantially reduce the turnover rate of foster
7 parents in the region by an agreed upon percentage. The department
8 shall evaluate whether an organization that has a contract under this
9 section has reduced the turnover rate by the agreed upon amount or more
10 when determining whether to extend or renew a contract under this
11 section.

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

14 Within available resources, the department shall increase the
15 number of adoptive and foster families available to accept children
16 through an intensive recruitment and retention program. The department
17 shall contract with a private agency to coordinate foster care and
18 adoptive home recruitment activities for the department and private
19 agencies.

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

22 The secretary or the secretary's designee may purchase services
23 from nonprofit agencies for the purpose of conducting home studies for
24 legally free children who have been awaiting adoption finalization for
25 more than ninety days. The home studies selected to be done under this
26 section shall be for the children who have been legally free and
27 awaiting adoption finalization the longest period of time.

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

30 (1) Within available resources, the department shall prepare a
31 passport containing all known and available information concerning the
32 mental, physical, health, and educational status of the child for any
33 child who has been in a foster home for ninety consecutive days or
34 more. The passport shall be provided to a foster parent at any
35 placement of a child covered by this section. The department shall

1 update the passport during the regularly scheduled court reviews
2 required under chapter 13.34 RCW.

3 New placements after the effective date of this act shall have
4 first priority in the preparation of passports. Within available
5 resources, the department may prepare passports for any child in a
6 foster home on the effective date of this act, provided that no time
7 spent in a foster home before the effective date of this act shall be
8 included in the computation of the ninety days.

9 (2) In addition to the requirements of subsection (1) of this
10 section, the department shall, within available resources, notify a
11 foster parent before placement of a child of any known health
12 conditions that pose a serious threat to the child and any known
13 behavioral history that presents a serious risk of harm to the child or
14 others.

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

17 The department may provide child care for all foster parents who
18 are required to attend department-sponsored meetings or training
19 sessions. If the department does not provide such child care, the
20 department, where feasible, shall conduct the activities covered by
21 this section in the foster parent's home or other location acceptable
22 to the foster parent.

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

25 (1) Except as provided in RCW 70.24.105, whenever a child is placed
26 in out-of-home care by the department or a child-placing agency, the
27 department or agency (~~may~~) shall, within available resources, share
28 information about the child and the child's family with the care
29 provider and (~~may~~) shall, within available resources, consult with
30 the care provider regarding the child's case plan. If the child is
31 dependent pursuant to a proceeding under chapter 13.34 RCW, the
32 department or agency shall keep the care provider informed regarding
33 the dates and location of dependency review and permanency planning
34 hearings pertaining to the child.

35 (2) Any person who receives information about a child or a child's
36 family pursuant to this section shall keep the information confidential

1 and shall not further disclose or disseminate the information except as
2 authorized by law.

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

7 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 July 1, 1997.

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