

SENATE BILL REPORT

SB 5557

As Reported By Senate Committee On:
Human Services & Corrections, February 25, 1999
Ways & Means, March 8, 1999

Title: An act relating to residential placement and transitional living services to street youth.

Brief Description: Providing residential placement and transitional living services to street youth.

Sponsors: Senators Hargrove, Long, Costa, Patterson, Kohl-Welles, Prentice, Thibaudeau, Franklin, Snyder, Bauer, Jacobsen, Winsley, Brown, Kline and Rasmussen.

Brief History:

Committee Activity: Human Services & Corrections: 2/9/99, 2/25/99 [DPS-WM].
Ways & Means: 3/8/99 [DP2S].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5557 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Patterson, Sheahan, Stevens and Zarelli.

Staff: Joan K. Mell (786-7447)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5557 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Brown, Vice Chair; Fairley, Kline, Kohl-Welles, Long, McDonald, Rasmussen, Roach, Rossi, B. Sheldon, Snyder, Spanel, Thibaudeau, West, Winsley, Wojahn and Zarelli.

Staff: Risa Sandler (786-7708)

Background: Estimates from Seattle indicate approximately 2,000 adolescents live on the streets away from their parents or legal custodian. On any given evening, 500 to 1,000 of these kids spend the night outside, some sleep in cars, ride buses, or stay up in all-night cafes. Spokane estimates 1,200 kids living on the streets, and Snohomish estimates around 2,000. The numbers are difficult to count because the kids are on the move.

A portion of the youth on the street are dependent youth as that term is defined in statute to include abused, neglected or abandoned children or children for whom a parent is unable to

care for the child's needs. The portion is estimated at up to 50 percent based upon data from crisis shelters.

The Department of Social and Health Services is authorized to provide services to dependent children, including residential placement alternatives for those children who cannot be returned to home. Residential alternatives for children ages 16 to 18 fall short of the demand. Further, most residential placement alternatives for these older dependent youth are not well suited to their needs. They have known their birth family and recognize that they are the outsider in a foster family. They need concentrated services that focus on preparing them for adulthood, but the structured services they need are not available in many foster homes.

The Department of Social and Health Services has been party to litigation by the Washington State Coalition for the Homeless, which determined the department was required to provide a "coordinated and comprehensive plan" to serve the homeless in this state. The litigation focused on homeless families, and not street youth. However, similar principles that resulted in state liability in the Homeless case could apply to provision of services to dependent street youth. In addition, negligence law exposes the state to liability in cases like Rebecca Hedman's (the namesake of the Becca bills) when the state fails to meet its duty to the people it serves and someone is harmed.

Street youth are a particularly vulnerable population. Statistics indicate at least 39 percent of homeless youth have been victims of robbery, and 31 percent have been to an emergency room because of an assault, rape, or for other health reasons.

Providers to street youth recognize the need for available services such as safe homes, educational opportunities, and supportive supervision. Providers want the opportunity to engage youth the system has failed served, and give hope to children in need.

Summary of Second Substitute Bill: This is the homeless youth prevention, protection and education act, or the HOPE act.

The Department of Social and Health Services is directed to license and establish 75 beds across the state for short-term crisis residential services, "HOPE" beds, and 75 beds across the state for long-term residential programs, "Responsible Living Skills Program" beds, for dependent youth. Subject to available funds, these beds are established at a rate of 25 percent per year, beginning in the year 2000, and will be fully implemented by 2003.

The short-term crisis centers are called HOPE Centers, which are available to street youth for a maximum of 30 days. A 30-day stay may be extended with department approval. Youth voluntarily come in to the HOPE Center, and can remain there with departmental approval while long-term placement is arranged. The youth must work with a placement and liaison specialist to access services and develop a long-term plan. HOPE Centers are to be operated in a manner that prevents youth from running away.

Parents must be notified that a youth is in the HOPE Center. The youth is to return to the parent unless the youth is dependent or a youth who must have dependency determined. In the case of a dependent youth, the placement and liaison specialist must facilitate initiation

of the dependency process with the department, and a shelter care hearing must be held within 72 hours if the youth meets the criteria for out-of-home placement.

The long-term residential programs are responsible living skills programs, which are available to dependent youth ages 16 to 18 who have been living on the street or in HOPE Centers. Fourteen and 15 year olds may access Responsible Living Skills program beds upon availability and departmental approvals. These programs must have transitional living services established that provide education, counseling and self development programs. Residents must have a plan to develop transitional living skills and must demonstrate achievement.

The department is required to offer technical assistance in the requests for proposals process for nonprofits, and must consider prioritizing contracts for HOPE Centers and responsible living skills programs to entities new to the department contracting process.

The Department of Social and Health Services must link with the Missing Children's Clearinghouse and make sure that efforts are made to reunify runaway youth served in its programs with parents who are looking for them.

An educational assistance account is created at the State Treasurer. A tax credit is authorized.

An aggravating factor is added to the criminal sentencing standard for defendants who know their victim is a youth not residing with a legal custodian and is particularly vulnerable and the defendant promotes a relationship for the primary purposes of victimization.

The Institute for Public Policy is to evaluate and report to the Legislature on the HOPE Centers and Responsible Living Skills Centers, and to evaluate procedures that ask DSHS to link with the missing children's clearinghouse to identify youth served by the HOPE and Responsible Living Skills programs and to reunite them with parents who are looking for them.

Second Substitute Bill Compared to Substitute Bill: Fourteen and 15 year olds may receive services in the Responsible Living Skills Program only upon the approval of the department and upon space availability. There is a maximum of 75 Hope beds and a maximum of 75 Responsible Living Skills beds, which are implemented at a rate of 25 percent per year. Within available resources, these beds are phased in beginning in January 2000.

A provision to add additional Crisis Residential Center beds was removed.

The Department of Community, Trade, and Economic Development (CTED) is the principal department responsible for providing shelter and housing services to homeless children and their families, and develops a comprehensive plan to work collaboratively with DSHS to serve these children and families. This plan is submitted to the Legislature by August 1999, and is updated every two years. Specifically, the plan addresses: (1) prevention; (2) emergency shelter; (3) transitional assistance to achieve permanent housing; (4) linking services with shelter and housing; and (5) ongoing monitoring of the plan's effectiveness and design.

The term "homeless" is stricken from language indicating that DSHS develop a plan to provide services to runaway, dependent, or neglected children. New language is added indicating that DSHS provides services to children and families that prevent or shorten out-of-home placements within appropriated funds.

Substitute Bill Compared to Original Bill: The 30-day limit to a HOPE Center stay can be extended if long-term placement is unavailable. Responsible living skills programs are eligible to 14 to 18-year old dependent youth. Youth in detention are excluded from the eligibility criteria. The notification requirements and other provisions related to HOPE Centers are simplified. Placement and liaison specialists must be assigned to street youth right away and meet with the youth within eight hours of intake. Intake time is logged in at entry. The definition of independent living skills is modified. HOPE Center staff are added as mandatory reporters of child abuse and neglect. The Institute for Public Policy is asked to study the programs. The department's duty to link information to and from the missing children's clearinghouse is clarified.

The department must consider prioritizing contracts to entities that it does not traditionally contract with and also provide technical assistance to nonprofit organizations in the bidding process.

Appropriation: None.

Fiscal Note: Requested on January 28, 1999.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (Human Services & Corrections): Services are desperately needed for the many youth who are homeless, vulnerable, and often dependent children. There are insufficient services available to youth, particularly teenagers. The needs of these youth are unique as they fear the system and have been forced to minimally provide for themselves under difficult situations.

Testimony Against (Human Services & Corrections): None.

Testified (Human Services & Corrections): PRO: Carole Holland, DSHS; Laurie Lippold, Children's Home Society; Connie Buckley, Merrilee Mount, Village Moms; Sarri Gilman, Cocoon House, Homeless Youth Task Force; Joyce Newson, Village Moms; Kate Grossman, Youthcare; Charles Shelan, Community Youth Service; Jessica Grundy, Youthcare.

Testimony For (Ways & Means): This legislation supports youth as the BECCA legislation does not. This legislation is needed.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): Jim Theofolis (pro); Judy McGavin (pro).