
HOUSE BILL 1350

State of Washington

56th Legislature

1999 Regular Session

By Representative Carrell

Read first time 01/22/1999. Referred to Committee on Children & Family Services.

1 AN ACT Relating to at-risk youth; amending RCW 74.13.031; and
2 adding new sections to chapter 74.13 RCW.

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

4 **PART I - CRISIS RESIDENTIAL CENTERS AND TREATMENT SERVICES**

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
6 to read as follows:

7 Any county or group of counties may make application to the
8 department of social and health services in the manner and form
9 prescribed by the department to administer and provide the services
10 established under RCW 13.32A.197. Any such application must include a
11 plan or plans for providing such services to at-risk youth.

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

14 No county may receive any state funds provided by this chapter
15 until its application and plan are received by the department.

16 (1) The distribution of funds to a county or a group of counties
17 shall be based on criteria including but not limited to the county's

1 per capita income, regional or county at-risk populations, rates of
2 poverty, and the presence of existing programs serving at-risk
3 children.

4 (2) The secretary of social and health services shall reimburse a
5 county upon presentation and approval of a valid claim pursuant to this
6 chapter based on actual performance in meeting the terms and conditions
7 of the approved plan and contract. Funds received by participating
8 counties under this chapter shall not be used to replace local funds
9 for existing programs.

10 (3) Funds available for county-operated treatment facilities and
11 services under RCW 13.32A.197 shall not exceed the appropriation for
12 these services specified in the biennial operating budget.

13 **Sec. 3.** RCW 74.13.031 and 1998 c 314 s 10 are each amended to read
14 as follows:

15 The department shall have the duty to provide child welfare
16 services and shall:

17 (1) Develop, administer, supervise, and monitor a coordinated and
18 comprehensive plan that establishes, aids, and strengthens services for
19 the protection and care of homeless, runaway, dependent, or neglected
20 children.

21 (2) Within available resources, recruit an adequate number of
22 prospective adoptive and foster homes, both regular and specialized,
23 i.e. homes for children of ethnic minority, including Indian homes for
24 Indian children, sibling groups, handicapped and emotionally disturbed,
25 teens, pregnant and parenting teens, and annually report to the
26 governor and the legislature concerning the department's success in:
27 (a) Meeting the need for adoptive and foster home placements; (b)
28 reducing the foster parent turnover rate; (c) completing home studies
29 for legally free children; and (d) implementing and operating the
30 passport program required by RCW 74.13.285. The report shall include
31 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

32 (3) Investigate complaints of any recent act or failure to act on
33 the part of a parent or caretaker that results in death, serious
34 physical or emotional harm, or sexual abuse or exploitation, or that
35 presents an imminent risk of serious harm, and on the basis of the
36 findings of such investigation, offer child welfare services in
37 relation to the problem to such parents, legal custodians, or persons
38 serving in loco parentis, and/or bring the situation to the attention

1 of an appropriate court, or another community agency: PROVIDED, That
2 an investigation is not required of nonaccidental injuries which are
3 clearly not the result of a lack of care or supervision by the child's
4 parents, legal custodians, or persons serving in loco parentis. If the
5 investigation reveals that a crime against a child may have been
6 committed, the department shall notify the appropriate law enforcement
7 agency.

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

10 (5) Monitor out-of-home placements, on a timely and routine basis,
11 to assure the safety, well-being, and quality of care being provided is
12 within the scope of the intent of the legislature as defined in RCW
13 74.13.010 and 74.15.010, and annually submit a report measuring the
14 extent to which the department achieved the specified goals to the
15 governor and the legislature.

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

25 (7) Have authority to provide temporary shelter to children who
26 have run away from home and who are admitted to crisis residential
27 centers.

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

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

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

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

11 (12) Provide funding for counties to operate treatment facilities
12 and provide treatment services to children who have been ordered placed
13 in a staff secure facility under RCW 13.32A.197.

14 Notwithstanding any other provision of RCW 13.32A.170 through
15 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
16 services to be provided by the department of social and health services
17 under subsections (4), (6), and (7) of this section, or counties under
18 subsection (12) of this section, subject to the limitations of these
19 subsections, may be provided by any program offering such services
20 funded pursuant to Titles II and III of the federal juvenile justice
21 and delinquency prevention act of 1974.

22 NEW SECTION. Sec. 4. A new section is added to chapter 74.13 RCW
23 to read as follows:

24 (1) A county or group of counties operating a treatment facility
25 under sections 1 and 2 of this act shall establish, by contracts with
26 private or public vendors, treatment centers with staff secure
27 facilities. These facilities shall be structured group care facilities
28 licensed under rules adopted by the department.

29 (2) The staff at the facilities established under RCW 13.32A.197
30 shall be trained so that they may effectively counsel, supervise,
31 provide treatment for behavioral difficulties or needs, and provide
32 structure to the juveniles admitted to treatment facilities. The
33 treatment, supervision, and counseling must recognize the need for
34 support and the varying circumstances that cause children to leave
35 their families.

36 (3) Juveniles shall be admitted to the facilities based on a court
37 order for placement at a staff secure facility to receive treatment

1 under RCW 13.32A.197. Juveniles shall not be denied admission based on
2 their county of residence.

3 (4) The state shall indemnify and hold harmless facilities
4 providing services to children under this section, from actions arising
5 from placement in their facilities.

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