
SUBSTITUTE HOUSE BILL 1259

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Tokuda, Boldt, Kagi, Schual-Berke, Kenney, Lambert and Edwards; by request of Department of Social and Health Services)

Read first time . Referred to Committee on .

1 AN ACT Relating to providing services for persons through twenty
2 years of age, who are or who have been in foster care; and amending RCW
3 74.13.031.

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

5 **Sec. 1.** RCW 74.13.031 and 1999 c 267 s 8 are each amended to read
6 as follows:

7 The department shall have the duty to provide child welfare
8 services and shall:

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

12 (2) Within available resources, recruit an adequate number of
13 prospective adoptive and foster homes, both regular and specialized,
14 i.e. homes for children of ethnic minority, including Indian homes for
15 Indian children, sibling groups, handicapped and emotionally disturbed,
16 teens, pregnant and parenting teens, and annually report to the
17 governor and the legislature concerning the department's success in:
18 (a) Meeting the need for adoptive and foster home placements; (b)
19 reducing the foster parent turnover rate; (c) completing home studies

1 for legally free children; and (d) implementing and operating the
2 passport program required by RCW 74.13.285. The report shall include
3 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

4 (3) Investigate complaints of any recent act or failure to act on
5 the part of a parent or caretaker that results in death, serious
6 physical or emotional harm, or sexual abuse or exploitation, or that
7 presents an imminent risk of serious harm, and on the basis of the
8 findings of such investigation, offer child welfare services in
9 relation to the problem to such parents, legal custodians, or persons
10 serving in loco parentis, and/or bring the situation to the attention
11 of an appropriate court, or another community agency: PROVIDED, That
12 an investigation is not required of nonaccidental injuries which are
13 clearly not the result of a lack of care or supervision by the child's
14 parents, legal custodians, or persons serving in loco parentis. If the
15 investigation reveals that a crime against a child may have been
16 committed, the department shall notify the appropriate law enforcement
17 agency.

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

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

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

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

38 (8) Have authority to purchase care for children; and shall follow
39 in general the policy of using properly approved private agency

1 services for the actual care and supervision of such children insofar
2 as they are available, paying for care of such children as are accepted
3 by the department as eligible for support at reasonable rates
4 established by the department.

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

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

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

21 Notwithstanding any other provision of RCW 13.32A.170 through
22 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
23 services to be provided by the department of social and health services
24 under subsections (4), (6), and (7) of this section, subject to the
25 limitations of these subsections, may be provided by any program
26 offering such services funded pursuant to Titles II and III of the
27 federal juvenile justice and delinquency prevention act of 1974.

28 (12) Within amounts appropriated for this specific purpose, provide
29 preventive services to families with children that prevent or shorten
30 the duration of an out-of-home placement.

31 (13) Have authority to provide independent living services to
32 youths, including individuals eighteen through twenty years of age, who
33 are or have been in foster care.

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