

SHB 1233 - S COMM AMD

By Committee on Children & Family Services & Corrections

ADOPTED 04/08/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
4 to read as follows:

5 (1) For the purposes of this section, "kin" means persons related
6 by blood or marriage, including marriages that have been dissolved.

7 (2) The department shall plan, design, and implement strategies to
8 prioritize the placement of children with willing and able kin when
9 out-of-home placement is required.

10 These strategies must include at least the following:

11 (a) Development of standardized, statewide procedures to be used
12 when searching for kin of children prior to out-of-home placement. The
13 procedures must include a requirement that documentation be maintained
14 in the child's case record that identifies kin, and documentation that
15 identifies the assessment criteria and procedures that were followed
16 during all kin searches. The procedures must be used when a child is
17 placed in out-of-home care under authority of chapter 13.34 RCW, when
18 a petition is filed under RCW 13.32A.140, or when a child is placed
19 under a voluntary placement agreement. To assist with implementation
20 of the procedures, the department shall request that the juvenile court
21 require parents to disclose to the department all contact information
22 for available and appropriate kin within two weeks of an entered order.
23 For placements under signed voluntary agreements, the department shall
24 encourage the parents to disclose to the department all contact
25 information for available and appropriate kin within two weeks of the
26 date the parent signs the voluntary placement agreement.

27 (b) Development of procedures for conducting active outreach
28 efforts to identify and locate kin during all searches. The procedures
29 must include at least the following elements:

1 (i) Reasonable efforts to interview known kin, friends, teachers,
2 and other identified community members who may have knowledge of the
3 child's kin, within sixty days of the child entering out-of-home care;

4 (ii) Increased use of those procedures determined by research to be
5 the most effective methods of promoting reunification efforts,
6 permanency planning, and placement decisions;

7 (iii) Contacts with kin identified through outreach efforts and
8 interviews under this subsection as part of permanency planning
9 activities and change of placement discussions;

10 (iv) Establishment of a process for ongoing contact with kin who
11 express interest in being considered as a placement resource for the
12 child; and

13 (v) A requirement that when the decision is made to not place the
14 child with any kin, the department provides documentation as part of
15 the child's individual service and safety plan that clearly identifies
16 the rationale for the decision and corrective action or actions the kin
17 must take to be considered as a viable placement option.

18 (3) Nothing in this section shall be construed to create an
19 entitlement to services or to create judicial authority to order the
20 provision of services to any person or family if the services are
21 unavailable or unsuitable or the child or family is not eligible for
22 such services.

23 NEW SECTION. **Sec. 2.** (1) The department of social and health
24 services shall collaborate with one or more nonprofit community-based
25 agencies to develop a grant proposal for submission to potential
26 funding sources, including governmental entities and private
27 foundations, to establish a minimum of two pilot projects to assist
28 kinship caregivers with understanding and navigating the system of
29 services for children in out-of-home care. The proposal must seek to
30 establish at least one project in eastern Washington and one project in
31 western Washington, each project to be managed by a participating
32 community-based agency.

33 (2) The kinship care navigators funded through the proposal shall
34 be responsible for at least the following:

35 (a) Understanding the various state agency systems serving kinship
36 caregivers;

1 (b) Working in partnership with local community service providers;
2 (c) Tracking trends, concerns, and other factors related to kinship
3 caregivers; and

4 (d) Assisting in establishing stable, respectful relationships
5 between kinship caregivers and department staff.

6 (3) Implementation of the kinship care navigator pilot projects is
7 contingent upon receipt of nonstate or private funding for that
8 purpose.

9 (4) For the purposes of this section, "kinship" has the same
10 meaning as "kin" given in section 1(1) of this act.

11 (5) This section expires January 1, 2007.

12 NEW SECTION. **Sec. 3.** (1) The department of social and health
13 services shall report to the legislature and the governor on the
14 implementation of the kinship care navigator pilot projects with
15 recommendations on statewide implementation of the pilot projects one
16 year following implementation of the pilot projects. The report shall:
17 Include data that demonstrates whether the pilot project reduced actual
18 barriers to access to services; identify statutory and administrative
19 barriers for kin who give care; and recommend ways to reduce or
20 eliminate the barriers without adverse consequences to children placed
21 with kin.

22 (2) This section expires January 1, 2007.

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

25 (1) Within existing resources, the department shall establish an
26 oversight committee to monitor, guide, and report on kinship care
27 recommendations and implementation activities. The committee shall:

28 (a) Draft a kinship care definition that is restricted to persons
29 related by blood or marriage, including marriages that have been
30 dissolved, or for a minor defined as an "Indian child" under the
31 federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the
32 definition of "extended family member" under the federal Indian child
33 welfare act, and a set of principles. If the committee concludes that
34 one or more program or service would be more efficiently and
35 effectively delivered under a different definition of kin, it shall

1 state what definition is needed, and identify the program or service in
2 the report. It shall also provide evidence of how the program or
3 service will be more efficiently and effectively delivered under the
4 different definition. The department shall not adopt rules or policies
5 changing the definition of kin without authorizing legislation;

6 (b) Monitor the implementation of recommendations contained in the
7 2002 kinship care report;

8 (c) Partner with nonprofit organizations and private sector
9 businesses to guide a public education awareness campaign; and

10 (d) Assist with developing future recommendations on kinship care
11 issues.

12 (2) The oversight committee must consist of a minimum of thirty
13 percent kinship caregivers, who shall represent a diversity of kinship
14 families. Statewide representation with geographic, ethnic, and gender
15 diversity is required. Other members shall include representatives of
16 the department, representatives of relevant state agencies,
17 representatives of the private nonprofit and business sectors, child
18 advocates, representatives of Washington state Indian tribes as defined
19 under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and
20 representatives of the legal or judicial field. Birth parents, foster
21 parents, and others who have an interest in these issues may also be
22 included.

23 (3) To the extent funding is available, the department may
24 reimburse nondepartmental members of the oversight committee for costs
25 incurred in participating in the meetings of the oversight committee.

26 (4) The kinship care oversight committee shall report to the
27 legislature and the governor on the status of kinship care issues by
28 December 1, 2004.

29 (5) This section expires January 1, 2005."

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30 On page 1, line 1 of the title, after "caregivers;" strike the

- 1 remainder of the title and insert "adding new sections to chapter 74.13
- 2 RCW; creating new sections; and providing expiration dates."

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