

HOUSE BILL REPORT

2SHB 3085

As Passed Legislature

Title: An act relating to family decision meetings.

Brief Description: Encouraging the use of family decision meetings regarding children in the child welfare system.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Kagi, Boldt, Dickerson, Orcutt, Shabro, Pettigrew, Darneille and Morrell).

Brief History:

Committee Activity:

Children & Family Services: 2/2/04, 2/4/04 [DPS];
Appropriations: 2/9/04, 2/10/04 [DP2S(w/o sub CFS)].

Floor Activity:

Passed House: 2/13/04, 96-0.
Passed Senate: 3/3/04, 47-0.
Passed Legislature.

Brief Summary of Second Substitute Bill

- Requires the Department of Social and Health Services to consider options for the use of family decision meetings for children involved in the child welfare system.
- Requires the Department of Social and Health Services to develop strategies for implementing a policy of meaningful family involvement throughout the state.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Kagi, Chair; Darneille, Vice Chair; Boldt, Ranking Minority Member; Roach, Assistant Ranking Minority Member; Bailey, Dickerson, Miloscia, Pettigrew and Shabro.

Staff: Cynthia Forland (786-7152).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Children & Family Services. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Pearson, Asst Ranking Minority Member; Alexander; Anderson; Boldt; Buck; Chandler; Clements; Cody; Conway; Cox; Dunshee; Grant; Hunter; Kagi; Kenney; Kessler; Linville; McDonald; McIntire; Miloscia; Ruderman; Schual-Berke; Sump and Talcott.

Staff: Amy Skei (786-7140).

Background:

The Department of Social and Health Services (DSHS) is required to provide child welfare services throughout the state. Child welfare services are defined by state law as public social services, which strengthen, supplement, or substitute for parental care and supervision for the purpose of:

- preventing or remedying, or assisting in the solution of, problems that may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;
- protecting and caring for dependent or neglected children;
- assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children with services designed to resolve those conflicts;
- protecting and promoting the welfare of children, including the strengthening of their own homes where possible or where needed; and
- providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

The DSHS is also specifically required to perform the following:

- develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children;
- within available resources, recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, that is, homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, and pregnant and parenting teens;
- investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and, on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court or another community agency;
- offer, on a voluntary basis, family reconciliation services to families who are in conflict;

- monitor out-of-home placements, on a timely and routine basis, to assure the safety, well-being, and quality of care being provided; and
- provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement, within amounts appropriated for that specific purpose.

Summary of Second Substitute Bill:

By January 1, 2005, the DSHS is required to:

- consider options for the use of family decision meetings in cases in which a child is involved in the child welfare system;
- develop strategies for implementing a policy of meaningful family involvement throughout the state within existing resources; and
- present implementation recommendations to the appropriate committees of the Legislature regarding the options considered for the use of family decision meetings and the strategies developed for implementation of a policy of meaningful family involvement.

"Family decision meeting" is defined to mean a family-focused intervention facilitated by dedicated professional staff that is designed to build and strengthen the natural caregiving system for the child. The purpose of the family decision meeting is to establish a plan that provides for the safety and permanency needs of the child. Family decision meetings may include, but are not limited to, family group conferences, family mediation, family support meetings, or other professionally recognized interventions that include extended family and rely upon the family to make shared decisions about planning for its children.

Appropriation: None.

Fiscal Note: Available on substitute bill.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (Children & Family Services) (Original bill) This is a new version of the family team decision meeting bill that the committee heard earlier, with "team" removed. Staff of the DSHS have undertaken several initiatives to increase family involvement, including family group conferencing and family support meetings. The DSHS is committed to expanding shared decision making. This practice is a key foundation of the Family to Family Initiative. The bill could result in significant fiscal and workload impact for the DSHS. The bill should be amended to recognize current service models while providing the DSHS with sufficient flexibility to use other models, as appropriate. The bill should be amended to provide that the DSHS establish the use of family decision meetings as a policy, rather than a goal. The bill should be amended to provide that family decision meetings should occur only when the parents and family are

willing to participate. The DSHS should be required to develop policies and protocols by the deadline in the bill, rather than be required to conduct family decision meetings by that date. This bill gets at meaningful involvement of families. The amendments proposed by the DSHS sound reasonable, and will hopefully reduce the fiscal note. The bill provides flexibility around the type of meetings that are most appropriate.

(With concerns) The terms "family decision meetings" and "family group conferencing" need to be coordinated and consistent.

Testimony For: (Appropriations) Involvement of families in the early stages of contact with the child welfare system keeps children out of foster care. We support the amendment. Other states are implementing more meaningful family involvement in the foster care system with good results. The research shows that using family decision meetings results in more children being placed securely with their families and less reentry into the child welfare system. This is good for both children and state budgets.

Testimony Against: (Children & Family Services) None.

Testimony Against: (Appropriations) None.

Persons Testifying: (Children & Family Services) (In support) Representative Kagi, prime sponsor; LaVerne Lamoureux, Children's Administration of the Department of Social and Health Services; and Laurie Lippold, Children's Home Society.

(With concerns) Sherry Appleton, Washington Defender Association and Washington Association of Criminal Defense Lawyers.

Persons Testifying: (Appropriations) Laurie Lippold, Children's Home Society.

Persons Signed In To Testify But Not Testifying: (Children & Family Services) None.

Persons Signed In To Testify But Not Testifying: (Appropriations) None.