

HOUSE BILL REPORT

HB 3090

As Reported by House Committee On:
Children & Family Services

Title: An act relating to the definition of out-of-home placement.

Brief Description: Revising the definition of out-of-home placement.

Sponsors: Representatives Kagi, Boldt, Darneille, Miloscia, Pettigrew, Roach, Dickerson, Fromhold, Talcott, Shabro, Pearson and Bailey.

Brief History:

Committee Activity:

Children & Family Services: 2/2/04, 2/4/04 [DPS].

Brief Summary of Substitute Bill

- Limits the definition of out-of-home placement relating to preservation services to placement in a licensed foster family home or group care facility.

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).

Background:

The Department of Social and Health Services (DSHS) is required to be the lead administrative agency for preservation services, which consist of Family Preservation Services (FPS) and Intensive Family Preservation Services (IFPS).

The FPS are in-home or community-based services drawing on the strengths of the family and its individual members while addressing family needs to strengthen and keep the family together, where possible, and may include the following:

- respite care of children to provide temporary relief for parents and other caregivers;

- services designed to improve parenting skills with respect to such matters as child development, family budgeting, coping with stress, health, safety, and nutrition; and
- services designed to promote the well-being of children and families, increase the strength and stability of families, increase parents' confidence and competence in their parenting abilities, promote a safe, stable, and supportive family environment for children, and otherwise enhance children's development.

The IFPS are community-based services that are delivered primarily in the home and follow intensive service models with demonstrated effectiveness in reducing or avoiding the need for unnecessary imminent out-of-home placement.

The DSHS may provide preservation services directly and is required, within available funds, to enter into outcome-based, competitive contracts with social service agencies to provide preservation services, provided that those agencies meet measurable standards, which must include, but not be limited to, satisfactory performance in the following areas:

- the number of families appropriately connected to community resources;
- avoidance of new referrals accepted by the DSHS for child protective services or family reconciliation services within one year of the most recent case closure by the DSHS;
- consumer satisfaction;
- for reunification cases, reduction in the length of stay in out-of-home placement; and
- reduction in the level of risk factors specified by the DSHS.

With respect to preservation services, "out-of-home placement" is defined by law as placement in a licensed foster family home or group care facility or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed.

With respect to the provision of IFPS, "prevent out-of-home placement" is defined by law as meaning that a child who has been a recipient of IFPS has not been placed outside of the home, other than for a single, temporary period of time not exceeding 14 days.

Summary of Substitute Bill:

The definition of "out-of-home placement" relating to preservation services is limited to placement in a licensed foster family home or group care facility.

The definition of "prevent out-of-home placement" relating to the provision of IFPS is limited to meaning that a child who has been a recipient of IFPS has not been placed outside of the home in a licensed foster family home or group care facility, other than for a single, temporary period of time not exceeding 14 days.

Substitute Bill Compared to Original Bill:

The definition of "prevent out-of-home placement" relating to the provision of IFPS is limited to meaning that a child who has been a recipient of IFPS has not been placed outside of the home in a licensed foster family home or group care facility, other than for a single, temporary period of time not exceeding 14 days.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: (Original bill) The intent of the bill is to recognize that placement with kin is a positive outcome and should not be looked at as a failure. The bill provides social workers and family preservation service providers with incentive to support the best interest of the child. Under current law, kinship placements are measured as failed outcomes of service delivery. This bill would correct that classification. The current definition of "out-of-home placement" is not consistent with legislative intent. The definition distorts the data. It sends the wrong message to providers and the DSHS with respect to kinship care. No other state counts kinship placements as a family preservation services failure.

(With concerns) This bill will prevent the provision of IFPS from being offered to parents of children who are at risk of being placed in non-licensed care. A family would be ineligible for IFPS if there is a relative willing to take care of the children.

Testimony Against: None.

Persons Testifying: (In support, original bill) Representative Kagi, prime sponsor; LaVerne Lamoureux, Children's Administration of the Department of Social and Health Services; and Charlotte Booth, Institute for Family Development.

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

Persons Signed In To Testify But Not Testifying: None.