
SUBSTITUTE HOUSE BILL 3090

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Children & Family Services (originally sponsored by Representatives Kagi, Boldt, Darneille, Miloscia, Pettigrew, Roach, Dickerson, Fromhold, Talcott, Shabro, Pearson and Bailey)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to the definition of out-of-home placement; and
2 amending RCW 74.14C.010 and 74.14C.030.

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

4 **Sec. 1.** RCW 74.14C.010 and 1996 c 240 s 2 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Department" means the department of social and health
9 services.

10 (2) "Community support systems" means the support that may be
11 organized through extended family members, friends, neighbors,
12 religious organizations, community programs, cultural and ethnic
13 organizations, or other support groups or organizations.

14 (3) "Family preservation services" means in-home or community-based
15 services drawing on the strengths of the family and its individual
16 members while addressing family needs to strengthen and keep the family
17 together where possible and may include:

18 (a) Respite care of children to provide temporary relief for
19 parents and other caregivers;

1 (b) Services designed to improve parenting skills with respect to
2 such matters as child development, family budgeting, coping with
3 stress, health, safety, and nutrition; and

4 (c) Services designed to promote the well-being of children and
5 families, increase the strength and stability of families, increase
6 parents' confidence and competence in their parenting abilities,
7 promote a safe, stable, and supportive family environment for children,
8 and otherwise enhance children's development.

9 Family preservation services shall have the characteristics
10 delineated in RCW 74.14C.020 (2) and (3).

11 (4) "Imminent" means a decision has been made by the department
12 that, without intensive family preservation services, a petition
13 requesting the removal of a child from the family home will be
14 immediately filed under chapter 13.32A or 13.34 RCW, or that a
15 voluntary placement agreement will be immediately initiated.

16 (5) "Intensive family preservation services" means community-based
17 services that are delivered primarily in the home, that follow
18 intensive service models with demonstrated effectiveness in reducing or
19 avoiding the need for unnecessary imminent out-of-home placement, and
20 that have all of the characteristics delineated in RCW 74.14C.020 (1)
21 and (3).

22 (6) "Out-of-home placement" means a placement in a foster family
23 home or group care facility licensed pursuant to chapter 74.15 RCW (~~or~~
24 ~~placement in a home, other than that of the child's parent, guardian,~~
25 ~~or legal custodian, not required to be licensed pursuant to chapter~~
26 ~~74.15 RCW~~)).

27 (7) "Paraprofessional worker" means any individual who is trained
28 and qualified to provide assistance and community support systems
29 development to families and who acts under the supervision of a
30 preservation services therapist. The paraprofessional worker is not
31 intended to replace the role and responsibilities of the preservation
32 services therapist.

33 (8) "Preservation services" means family preservation services and
34 intensive family preservation services that consider the individual
35 family's cultural values and needs.

36 **Sec. 2.** RCW 74.14C.030 and 1996 c 240 s 4 are each amended to read
37 as follows:

1 (1) The department shall be the lead administrative agency for
2 preservation services and may receive funding from any source for the
3 implementation or expansion of such services. The department shall:

4 (a) Provide coordination and planning with the advice of the
5 community networks for the implementation and expansion of preservation
6 services; and

7 (b) Monitor and evaluate such services to determine whether the
8 programs meet measurable standards specified by this chapter and the
9 department.

10 (2) The department may: (a) Allow its contractors for preservation
11 services to use paraprofessional workers when the department and
12 provider determine the use appropriate. The department may also use
13 paraprofessional workers, as appropriate, when the department provides
14 preservation services; and (b) allow follow-up to be provided, on an
15 individual case basis, when the department and provider determine the
16 use appropriate.

17 (3) In carrying out the requirements of this section, the
18 department shall consult with qualified agencies that have demonstrated
19 expertise and experience in preservation services.

20 (4) The department may provide preservation services directly and
21 shall, within available funds, enter into outcome-based, competitive
22 contracts with social service agencies to provide preservation
23 services, provided that such agencies meet measurable standards
24 specified by this chapter and by the department. The standards shall
25 include, but not be limited to, satisfactory performance in the
26 following areas:

27 (a) The number of families appropriately connected to community
28 resources;

29 (b) Avoidance of new referrals accepted by the department for child
30 protective services or family reconciliation services within one year
31 of the most recent case closure by the department;

32 (c) Consumer satisfaction;

33 (d) For reunification cases, reduction in the length of stay in
34 out-of-home placement; and

35 (e) Reduction in the level of risk factors specified by the
36 department.

37 (5)(a) The department shall not provide intensive family
38 preservation services unless it is demonstrated that provision of such

1 services prevent out-of-home placement in at least seventy percent of
2 the cases served for a period of at least six months following
3 termination of services. The department's caseworkers may only provide
4 preservation services if there is no other qualified entity willing or
5 able to do so.

6 (b) Contractors shall demonstrate that provision of intensive
7 family preservation services prevent out-of-home placement in at least
8 seventy percent of the cases served for a period of no less than six
9 months following termination of services. The department may increase
10 the period of time based on additional research and data. If the
11 contractor fails to meet the seventy percent requirement the department
12 may: (i) Review the conditions that may have contributed to the
13 failure to meet the standard and renew the contract if the department
14 determines: (A) The contractor is making progress to meet the
15 standard; or (B) conditions unrelated to the provision of services,
16 including case mix and severity of cases, contributed to the failure;
17 or (ii) reopen the contract for other bids.

18 (c) The department shall cooperate with any person who has a
19 contract under this section in providing data necessary to determine
20 the amount of reduction in foster care. For the purposes of this
21 subsection "prevent out-of-home placement" means that a child who has
22 been a recipient of intensive family preservation services has not been
23 placed outside of the home in a foster family home or group care
24 facility licensed pursuant to chapter 74.15 RCW, other than for a
25 single, temporary period of time not exceeding fourteen days.

26 (6) The department shall adopt rules to implement this chapter.

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