
SENATE BILL 5823

State of Washington

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By Senators McAuliffe, Stevens, Eide, Fairley, Regala, Hargrove, Kohl-Welles and Rasmussen

Read first time 02/13/2003. Referred to Committee on Children & Family Services & Corrections.

1 AN ACT Relating to improving services for kinship caregivers;
2 adding new sections to chapter 74.13 RCW; creating new sections; and
3 providing expiration dates.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
6 to read as follows:

7 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 (1) 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 child safety
17 requires out-of-home placement in the following proceedings: Voluntary
18 placement agreement, dependency, and child in need of services
19 petitions when filed by someone other than the parent. To assist with

1 implementation of the protocol, the department shall request that the
2 juvenile court require parents to disclose to the department all
3 contact information for available and appropriate kin within two weeks
4 of an entered order.

5 (2) Development of procedures for conducting active outreach
6 efforts to identify and locate kin during all searches. The procedures
7 must include at least the following elements:

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

11 (b) Increased use of those procedures determined by research to be
12 the most effective methods of promoting reunification efforts,
13 permanency planning, and placement decisions;

14 (c) Contacts with kin identified through outreach efforts and
15 interviews under this subsection as part of permanency planning
16 activities and change of placement discussions;

17 (d) Establishment of a process for ongoing contact with kin who
18 express interest in being considered as a placement resource for the
19 child; and

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

25 (3) Nothing in this section shall be construed to create an
26 entitlement to services or to create judicial authority to order the
27 provision of services to any person or family if the services are
28 unavailable or unsuitable or the child or family is not eligible for
29 such services.

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

32 NEW SECTION. **Sec. 2.** (1) The department of social and health
33 services shall collaborate with one or more nonprofit community-based
34 agencies to develop a grant proposal for submission to potential
35 funding sources, including governmental entities and private
36 foundations, to establish a minimum of two pilot projects to assist
37 kinship caregivers with understanding and navigating the system of

1 services for children in out-of-home care. The proposal must seek to
2 establish at least one project in eastern Washington and one project in
3 western Washington, each project to be managed by a participating
4 community-based agency.

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

7 (a) Understanding the various state agency systems serving kinship
8 caregivers;

9 (b) Working in partnership with local community service providers;

10 (c) Tracking trends, concerns, and other factors related to kinship
11 caregivers; and

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

14 (3) Implementation of the kinship care navigator pilot projects is
15 contingent upon receipt of nonstate or private funding for that
16 purpose.

17 (4) This section expires January 1, 2007.

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

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

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

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

34 (a) Draft a kinship care definition that is restricted to persons
35 related by blood or marriage, including marriages that have been
36 dissolved, and a set of principles;

1 (b) Monitor the implementation of recommendations contained in the
2 2002 kinship care report;

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

5 (d) Assist with developing future recommendations on kinship care
6 issues.

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

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

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

24 (5) This section expires January 1, 2005.

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