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HOUSE BILL 2985

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State of Washington

59th Legislature

2006 Regular Session

By Representatives Schual-Berke, Clibborn, Appleton, Moeller, Green, Cody, Morrell, Walsh, McIntire, Kagi, Kenney, Hasegawa and Simpson

Read first time 01/17/2006. Referred to Committee on Children & Family Services.

1 AN ACT Relating to creating a foster care health unit in the  
2 department of social and health services; amending RCW 74.13.031; and  
3 adding a new section to chapter 74.13 RCW.

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

5 **Sec. 1.** RCW 74.13.031 and 2004 c 183 s 3 are each amended to read  
6 as follows:

7 The department shall have the duty to provide child welfare  
8 services and shall:

9 (1) Develop, administer, supervise, and monitor a coordinated and  
10 comprehensive plan that establishes, aids, and strengthens services for  
11 the protection and care of runaway, dependent, or neglected children.

12 (2) Within available resources, recruit an adequate number of  
13 prospective adoptive and foster homes, both regular and specialized,  
14 i.e. homes for children of ethnic minority, including Indian homes for  
15 Indian children, sibling groups, handicapped and emotionally disturbed,  
16 teens, pregnant and parenting teens, and annually report to the  
17 governor and the legislature concerning the department's success in:  
18 (a) Meeting the need for adoptive and foster home placements; (b)  
19 reducing the foster parent turnover rate; (c) completing home studies

1 for legally free children; and (d) implementing and operating the  
2 passport program required by RCW 74.13.285. The report shall include  
3 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

4 (3) Investigate complaints of any recent act or failure to act on  
5 the part of a parent or caretaker that results in death, serious  
6 physical or emotional harm, or sexual abuse or exploitation, or that  
7 presents an imminent risk of serious harm, and on the basis of the  
8 findings of such investigation, offer child welfare services in  
9 relation to the problem to such parents, legal custodians, or persons  
10 serving in loco parentis, and/or bring the situation to the attention  
11 of an appropriate court, or another community agency: PROVIDED, That  
12 an investigation is not required of nonaccidental injuries which are  
13 clearly not the result of a lack of care or supervision by the child's  
14 parents, legal custodians, or persons serving in loco parentis. If the  
15 investigation reveals that a crime against a child may have been  
16 committed, the department shall notify the appropriate law enforcement  
17 agency.

18 (4) Offer, on a voluntary basis, family reconciliation services to  
19 families who are in conflict.

20 (5) Monitor out-of-home placements, on a timely and routine basis,  
21 to assure the safety, well-being, and quality of care being provided is  
22 within the scope of the intent of the legislature as defined in RCW  
23 74.13.010 and 74.15.010, and annually submit a report measuring the  
24 extent to which the department achieved the specified goals to the  
25 governor and the legislature.

26 (6) Have authority to accept custody of children from parents and  
27 to accept custody of children from juvenile courts, where authorized to  
28 do so under law, to provide child welfare services including placement  
29 for adoption, and to provide for the physical, dental, and mental  
30 health care of such children and make payment of maintenance costs if  
31 needed. Except where required by Public Law 95-608 (25 U.S.C. Sec.  
32 1915), no private adoption agency which receives children for adoption  
33 from the department shall discriminate on the basis of race, creed, or  
34 color when considering applications in their placement for adoption.

35 (7) Have authority to provide temporary shelter to children who  
36 have run away from home and who are admitted to crisis residential  
37 centers.

1 (8) Have authority to purchase care for children; and shall follow  
2 in general the policy of using properly approved private agency  
3 services for the actual care and supervision of such children insofar  
4 as they are available, paying for care of such children as are accepted  
5 by the department as eligible for support at reasonable rates  
6 established by the department.

7 (9) Establish a children's services advisory committee which shall  
8 assist the secretary in the development of a partnership plan for  
9 utilizing resources of the public and private sectors, and advise on  
10 all matters pertaining to child welfare, licensing of child care  
11 agencies, adoption, and services related thereto. At least one member  
12 shall represent the adoption community.

13 (10) Have authority to provide continued foster care or group care  
14 for individuals from eighteen through twenty years of age to enable  
15 them to complete their high school or vocational school program.

16 (11) Refer cases to the division of child support whenever state or  
17 federal funds are expended for the care and maintenance of a child,  
18 including a child with a developmental disability who is placed as a  
19 result of an action under chapter 13.34 RCW, unless the department  
20 finds that there is good cause not to pursue collection of child  
21 support against the parent or parents of the child.

22 (12) Have authority within funds appropriated for foster care  
23 services to purchase care for Indian children who are in the custody of  
24 a federally recognized Indian tribe or tribally licensed child-placing  
25 agency pursuant to parental consent, tribal court order, or state  
26 juvenile court order; and the purchase of such care shall be subject to  
27 the same eligibility standards and rates of support applicable to other  
28 children for whom the department purchases care.

29 Notwithstanding any other provision of RCW 13.32A.170 through  
30 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
31 services to be provided by the department of social and health services  
32 under subsections (4), (6), and (7) of this section, subject to the  
33 limitations of these subsections, may be provided by any program  
34 offering such services funded pursuant to Titles II and III of the  
35 federal juvenile justice and delinquency prevention act of 1974.

36 (13) Within amounts appropriated for this specific purpose, provide  
37 preventive services to families with children that prevent or shorten  
38 the duration of an out-of-home placement.

1           (14) Have authority to provide independent living services to  
2 youths, including individuals eighteen through twenty years of age, who  
3 are or have been in foster care.

4           NEW SECTION.   **Sec. 2.** A new section is added to chapter 74.13 RCW  
5 to read as follows:

6           The office of foster care health care services is established to  
7 operate under the authority of the department of social and health  
8 services. The duties and responsibilities of the office include, but  
9 are not limited to, the following, within appropriated funds:

10           (1) Provide for the physical, dental, and mental health needs of  
11 children committed to the custody of the department of social and  
12 health services;

13           (2) Work with health care providers, clinics, and hospitals to  
14 develop health care services tailored to the unique needs of children  
15 in foster care; and

16           (3) Establish a medical home for each child placed in foster care  
17 to ensure that appropriate, timely, and necessary quality care is  
18 available through a coordinated system of care.

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