

E2SHB 3145 - S AMD 340

By Senator Hargrove and Stevens

ADOPTED 03/12/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
4 to read as follows:

5 The legislature finds that out-of-home care providers are an
6 essential partner in the child welfare system, with responsibility for
7 the care of vulnerable children whose families are unable to meet their
8 needs. Because children who enter the out-of-home care system have
9 experienced varying degrees of stress and trauma before placement,
10 providers sometimes are called upon to provide care for children with
11 significant behavioral challenges and intensive developmental needs.
12 Other children who enter out-of-home care may require extraordinary
13 care due to health care needs or medical fragility. The legislature
14 also finds that providers with specialized skills and experience, or
15 professional training and expertise, can contribute significantly to a
16 child's well-being by promoting placement stability and supporting the
17 child's developmental growth while in out-of-home care. The
18 legislature intends to implement an intensive resource home pilot to
19 enhance the continuum of care options and to promote permanency and
20 positive outcomes for children served in the child welfare system by
21 authorizing the department to contract for intensive resource home
22 services on a pilot basis.

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

25 (1) The department shall select two geographic areas with high
26 concentrations of children with significant needs in out-of-home care
27 for implementing an intensive resource home pilot. In choosing the
28 pilot sites, the department shall: (a) Examine areas where there are
29 concentrations of children with significant behavioral challenges and

1 intensive developmental or medical needs who are being served in family
2 foster homes; (b) consider sites of appropriate size that will allow
3 for careful analysis of the impact of the intensive resource home pilot
4 on the array of out-of-home care providers, including providers of
5 behavioral rehabilitation services; and (c) determine the number of
6 children to be served in these selected sites. Implementation of the
7 program at the pilot sites also shall be structured to support the
8 long-term goal of eventual expansion of the pilot statewide.

9 (2) Based on the information gathered by the work group convened
10 under chapter 413, Laws of 2007, and the additional information
11 gathered pursuant to this section, the department shall work
12 collaboratively in:

13 (a) Seeking recommendations from foster parents and other out-of-
14 home service providers, including child placing agencies, regarding the
15 qualifications and requirements of intensive resource home providers,
16 the needs of the children to be served, and the desired outcomes to be
17 measured or monitored at the respective pilot sites; and

18 (b) Consulting with experts in child welfare, children's mental
19 health, and children's health care to identify the evidence-based or
20 promising practice models to be employed in the pilot and the
21 appropriate supports to ensure program fidelity, including, but not
22 limited to, the necessary training and clinical consultation and
23 oversight to be provided to intensive resource homes.

24 (3) Using the recommendations from foster parents, the
25 consultations with professionals as required in subsection (2)(a) and
26 (b) of this section, and the information provided in the report to the
27 legislature under chapter 413, Laws of 2007, including the information
28 presented to the work group convened to prepare and present the report,
29 the department shall implement the pilot by entering into contracts
30 with no more than seventy-five providers who are determined by the
31 department to meet the eligibility criteria for the intensive resource
32 home pilot. The department shall:

33 (a) Define the criteria for intensive resource home providers,
34 which shall include a requirement that the provider be licensed by the
35 department as a foster parent, as well as meet additional requirements
36 relating to relevant experience, education, training, and professional
37 expertise necessary to meet the high needs of children identified as
38 eligible for this pilot;

1 (b) Define criteria for identifying children with high needs who
2 may be eligible for placement with an intensive resource home provider.
3 Such criteria shall be based on the best interests of the child and
4 include an assessment of the child's past and current level of
5 functioning as well as a determination that the child's treatment plan
6 and developmental needs are consistent with the placement plan;

7 (c) Establish a policy for placement of children with high needs in
8 intensive resource homes, including a process for matching the child's
9 needs with the provider's skills and expertise;

10 (d) Establish a limit on the number and ages of children with high
11 needs that may be placed in an intensive resource home pursuant to the
12 pilot contract. Such limitation shall recognize that children with
13 externalizing behaviors are most likely to experience long-term
14 improvements in their behavior when care is provided in settings that
15 minimize exposure to peers with challenging behaviors;

16 (e) Identify one or more approved models of skill building for use
17 by intensive resource home providers, with the assistance of other
18 child welfare experts;

19 (f) Specify the training and consultation requirements that support
20 the models of service;

21 (g) Establish a system of supports, including clinical consultation
22 and oversight for intensive resource homes;

23 (h) Develop a tiered payment system, by September 30, 2008, which
24 may include a stipend to the provider, which takes into account the
25 additional responsibilities intensive resource home providers have with
26 regard to the children placed in their care. Until such time as the
27 department has developed the tiered payment system, money for
28 exceptional cost plans shall be used only for special services or
29 supplies provided to the child and shall not be used to reimburse the
30 provider for services he or she provides to the child. A stipend of
31 not more than five hundred dollars per month may be used to reimburse
32 the provider for services he or she provides directly to the child;

33 (i) Establish clearly defined responsibilities of intensive
34 resource home providers, who have an intensive resource home contract
35 including responsibilities to promote permanency and connections with
36 birth parents; and

37 (j) Develop a process for annual performance reviews of intensive
38 resource home providers.

1 (4) Contracts between the department and an intensive resource home
2 provider shall include a statement of work focusing on achieving
3 stability in placement and measuring improved permanency outcomes and
4 shall specify at least the following elements:

5 (a) The model of treatment and care to be provided;

6 (b) The training and ongoing professional consultation to be
7 provided;

8 (c) The method for determining any additional supports to be
9 provided to an eligible child or the intensive resource home provider;

10 (d) The desired outcomes to be measured;

11 (e) A reasonable and efficient process for seeking a modification
12 of the contract;

13 (f) The rate and terms of payment under the contract; and

14 (g) The term of the contract and the processes for an annual
15 performance review of the intensive resource home provider and an
16 annual assessment of the child.

17 (5) Beginning on or before October 1, 2008, the department shall
18 begin the selection of, and negotiation of contracts with, intensive
19 resource home providers in the selected pilot sites.

20 (6) Nothing in this act gives a provider eligible under this
21 section the right to a contract under the intensive resource home
22 pilot, and nothing in this act gives a provider that has a contract
23 under the pilot a right to have a child or children placed in the home
24 pursuant to the contract.

25 (7) "Intensive resource home provider" means a provider who meets
26 the eligibility criteria developed by the department under this section
27 and who has an intensive resource home pilot contract with the
28 department.

29 (8) The department shall report to the governor and the legislature
30 by January 30, 2009, on the implementation of the pilot, including how
31 the pilot fits within the continuum of out-of-home care options. Based
32 on the experiences and lessons learned from implementation of the
33 pilot, the department shall recommend a process and timeline for
34 expanding the pilot and implementing it statewide. The department
35 shall report to the governor and the appropriate members of the
36 legislature by September 1, 2009, on the expansion, and shall identify
37 the essential elements of the intensive resource home pilot that should
38 be addressed or replicated if the pilot is expanded.

1 (9) The department shall operate this pilot using only funds
2 appropriated specifically for the operation of this pilot. The term
3 "specifically for the operation of this pilot" includes only those
4 costs associated with the following: The administration of the pilot,
5 the stipend to eligible intensive resource home providers, training for
6 the providers, consultation for the providers, and program review
7 consultation.

8 NEW SECTION. **Sec. 3.** If any part of this act is found to be in
9 conflict with federal requirements that are a prescribed condition of
10 federal funds which support the operations and services provided by the
11 department of social and health services, the conflicting part of this
12 act is inoperative solely to the extent of the conflict and with
13 respect to the agencies directly affected, and this finding does not
14 affect the operation of the remainder of this act in its application to
15 the agencies concerned. Rules adopted under this act must meet federal
16 requirements that are a necessary condition to the receipt of federal
17 funds by the state.

18 NEW SECTION. **Sec. 4.** Of the amounts appropriated in the omnibus
19 appropriations act of 2008 for implementation of this act, referencing
20 this act by bill or chapter number, the department shall allocate two
21 hundred thousand dollars to contract with an agency which is working in
22 partnership with, and has been evaluated by, the University of
23 Washington school of social work to implement promising practice
24 constellation hub models of foster care support in areas of the state
25 not currently served by this model, unless otherwise specified in the
26 omnibus appropriations act of 2008."

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27 On page 1, line 2 of the title, after "licensing;" strike the
28 remainder of the title and insert "adding new sections to chapter 74.13

1 RCW; and creating new sections."

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