

SSB 5909 - S AMD 156
By Senator Prentice

ADOPTED 03/13/2007

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.190
4 RCW to read as follows:

5 In connection with its duties pursuant to RCW 70.190.110, the
6 council shall review programs that provide services to adolescent
7 foster children, and to youth who have reached the age of eighteen and
8 are no longer required to live in the care of foster parents.

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

11 (1) After the family policy council has completed its review of
12 programs that provide services to adolescent foster children and to
13 youth who have reached the age of eighteen and are no longer required
14 to live in the care of foster parents, pursuant to section 1 of this
15 act, the department shall create a pilot program to establish a foster
16 youth community coordinator in three regional office locations within
17 the state. The purpose of the pilot program is to provide assistance
18 to foster youth who are reaching eighteen years of age to facilitate
19 their ability to live independently upon leaving state care.

20 (2) The program shall include two sites selected by the department
21 not later than September 1, 2007.

22 (3) The responsibilities of the foster youth community coordinator
23 include the following:

24 (a) To facilitate collaboration among organizations providing
25 services to foster youth who are reaching their eighteenth birthday and
26 leaving foster care, as well as collaboration between the department
27 and these organizations;

28 (b) To facilitate training of those providing services to youth who
29 are preparing to leave foster care regarding the following:

- 1 (i) The educational needs of foster youth, particularly
2 interventions for older youth;
3 (ii) The foster care system;
4 (iii) The educational rights of children;
5 (iv) The role of education in the development and adjustment of
6 children;
7 (v) Improving the education outcomes of youth in foster care;
8 (vi) Building communities that support the needs of youth in out-
9 of-home care; and
10 (vii) Education support for foster youth in transition; and
11 (c) Improving communication to foster youth regarding the services
12 and programs available to them as they prepare to leave foster care and
13 live independently.

14 (4) The program shall include measurable objectives for the purpose
15 of evaluation.

16 (5) The department shall evaluate the program to determine whether
17 the objectives of the program have been met and shall inform the
18 legislature not later than January 1, 2009, of the results of the pilot
19 program.

20 **Sec. 3.** RCW 74.13.031 and 2006 c 266 s 1 and 2006 c 221 s 3 are
21 each reenacted and amended to read as follows:

22 The department shall have the duty to provide child welfare
23 services and shall:

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

27 (2) Within available resources, recruit an adequate number of
28 prospective adoptive and foster homes, both regular and specialized,
29 i.e. homes for children of ethnic minority, including Indian homes for
30 Indian children, sibling groups, handicapped and emotionally disturbed,
31 teens, pregnant and parenting teens, and annually report to the
32 governor and the legislature concerning the department's success in:

33 (a) Meeting the need for adoptive and foster home placements; (b)
34 reducing the foster parent turnover rate; (c) completing home studies
35 for legally free children; and (d) implementing and operating the
36 passport program required by RCW 74.13.285. The report shall include
37 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

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

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

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

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

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

37 (8) Have authority to purchase care for children; and shall follow
38 in general the policy of using properly approved private agency

1 services for the actual care and supervision of such children insofar
2 as they are available, paying for care of such children as are accepted
3 by the department as eligible for support at reasonable rates
4 established by the department.

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

11 (10)(a) Have authority to provide continued foster care or group
12 care as needed to participate in or complete a high school or
13 vocational school program.

14 (b)(i) Beginning in 2006, the department has the authority to allow
15 up to fifty youth reaching age eighteen to continue in foster care or
16 group care as needed to participate in or complete a posthigh school
17 academic or vocational program, and to receive necessary support and
18 transition services.

19 (ii) In 2007 and 2008, the department has the authority to allow up
20 to fifty additional youth per year reaching age eighteen to remain in
21 foster care or group care as provided in (b)(i) of this subsection.

22 (iii) A youth who remains eligible for such placement and services
23 pursuant to department rules may continue in foster care or group care
24 until the youth reaches his or her twenty-first birthday. Eligibility
25 requirements shall include active enrollment in a posthigh school
26 academic or vocational program and maintenance of a 2.0 grade point
27 average.

28 (11) Refer cases to the division of child support whenever state or
29 federal funds are expended for the care and maintenance of a child,
30 including a child with a developmental disability who is placed as a
31 result of an action under chapter 13.34 RCW, unless the department
32 finds that there is good cause not to pursue collection of child
33 support against the parent or parents of the child. Cases involving
34 individuals age eighteen through twenty shall not be referred to the
35 division of child support unless required by federal law.

36 (12) Have authority within funds appropriated for foster care
37 services to purchase care for Indian children who are in the custody of
38 a federally recognized Indian tribe or tribally licensed child-placing

1 agency pursuant to parental consent, tribal court order, or state
2 juvenile court order; and the purchase of such care shall be subject to
3 the same eligibility standards and rates of support applicable to other
4 children for whom the department purchases care.

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

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

15 (14)(a) Have authority to provide independent living services to
16 youths, including individuals who have attained eighteen years of age,
17 and have not attained twenty-one years of age who are or have been in
18 foster care.

19 (b) Have the authority to allow up to fifty youth reaching age
20 eighteen to continue in foster care or group care for up to six months
21 following the youth's eighteenth birthday for the purpose of receiving
22 independent living skills while residing in a foster care placement.

23 (15) Within funds specifically appropriated therefor, the
24 department shall work with foster children exiting from care at the age
25 of eighteen, or exiting under subsection (10) or (14)(b) of this
26 section, to develop an independent living plan that may include
27 assistance with first month's rent, security deposit, and incidental
28 items necessary to live independently. The combined value of
29 assistance shall not exceed two thousand dollars per youth. The rent,
30 security deposit, and incidental items shall be provided through
31 vouchers. No cash or check shall be directly provided to the youth.

32 NEW SECTION. Sec. 4. Nothing in this act shall be construed to
33 create:

34 (1) An entitlement to services;

35 (2) Judicial authority to extend the jurisdiction of juvenile court
36 in a proceeding under chapter 13.34 RCW or to order the provision of
37 services to a youth who has attained eighteen years of age; or

1 (3) A private right of action or claim on the part of any
2 individual, entity, or agency against the department of social and
3 health services or any contractor of the department."

4 On page 1, line 2 of the title, after "care;" strike the remainder
5 of the title and insert "reenacting and amending RCW 74.13.031; adding
6 a new section to chapter 70.190 RCW; adding a new section to chapter
7 74.13 RCW; and creating a new section."

EFFECT: Subject to funding, provides youth exiting from foster care at, or after, age 18 with up to \$2,000 for first month's rent, security deposit, and for incidental items. In order to receive funding, the department and youth must have developed a plan for living independently. No cash will be directly provided to the youth; instead vouchers will be provided for incidentals. Removes provisions on the individual development accounts. Limits the number of foster children allowed to stay in care for independent living services to fifty. Adds in language clarifying the act does not create an entitlement or additional judicial authority over youth over age 18.

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