

SENATE BILL REPORT

SB 6832

As of February 4, 2010

Title: An act relating to the implementation of delivery of child welfare services through performance-based contracts by adding a foster youth representative to the child welfare transformation design committee.

Brief Description: Concerning child welfare services.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity: Human Services & Corrections: 2/04/10.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: In 2009 the Legislature enacted 2SHB 2106, which, among other things, established the Child Welfare Transformation Design Committee (TDC) to select two demonstration sites and develop performance measures and criteria for contracting of child welfare services. The TDC includes representation from the following entities:

- the Office of the Governor;
- the Office of the Attorney General;
- the Children's Administration within the Department of Social and Health Services (DSHS) ;
- the Office of the Family and Children's Ombudsman;
- the Indian Policy Advisory Committee convened by the DSHS;
- the Racial Disproportionality Advisory Committee convened by the DSHS;
- the bargaining representative for the largest number of Children's Administration's employees;
- nationally recognized experts in performance-based contracting;
- private agencies providing child welfare services in Washington;
- parents with experience in the dependency process;
- Partners for Our Children (POC);
- superior court judges; and
- foster parents.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Since its initial meeting, the TDC has included a former foster youth in its deliberations. Because the representation of foster youth is not listed in statute, however, the representative of foster youth has not had formal voting rights in the TDC's decision making. In its most recent and second quarterly report to the Legislative Children's Oversight Committee and the Governor, the TDC recommended the Legislature amend the statute to include a representative of foster youth on the TDC, and that the representative have full voting rights.

The DSHS contracts with multiple private providers for the purchase of various child welfare services, including individual and group counseling or therapy; group care and behavioral health services; assessment and treatment for chemical dependence, domestic violence, or mental health needs; reunification services; and adoption services. These contracts are fee-for-service contracts with both non-profit and for-profit entities. The 2SHB 2106 required the DSHS to consolidate and convert existing contracts to performance-based contracts by January 1, 2011. The TDC has recommended this date be extended to July 1, 2011, to allow sufficient time for the DSHS and contracted providers to consolidate and convert contracts.

The date by which the demonstration sites be implemented is July 1, 2012. There was concern expressed by members of the TDC that the date be extended to allow for an orderly transition of existing cases from the DSHS to the supervising agencies.

One of the TDC's advisory committee recommended that in the demonstration sites, the supervising agencies work in the same geographic area as the DSHS to allow for better comparison of outcomes.

Most child welfare case management services are currently provided by the DSHS only. Federal law requires that states maintain care and placement authority of youth for whom child welfare funding is being received and spent. Implementation of the demonstration sites will require the DSHS to contract with supervising agencies for case management services.

Summary of Bill: The date by which the DSHS must convert all contracts for the purchase of child welfare services to performance-based contracts is extended from January 1, 2011, to July 1, 2011.

The membership of the TDC is expanded to include a representative of foster youth who will be selected by the co-chairs of the TDC. The representative may be a youth currently in foster care, or a recent alumnus.

The date by which the demonstration sites are to be fully implemented is extended from June 30, 2012, to December 30, 2012.

The DSHS may provide child welfare services in the same two demonstration sites as a supervising agency for the purpose of establishing a control or comparison group to compare the performance of both in achieving measurable outcomes.

The TDC is directed, when selecting the demonstration sites and developing the transition plan for the demonstration sites, to maintain the care and placement authority of the DSHS at a level that does not jeopardize federal funding eligibility and that also provides flexibility and will maximize federal funding opportunities.

The authority of Indian tribes to provide their own child welfare programs is expressly recognized.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.