
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1965

State of Washington 62nd Legislature 2011 1st Special Session

By House Ways & Means (originally sponsored by Representatives Kagi, Jinkins, Frockt, and Kenney)

READ FIRST TIME 04/01/11.

1 AN ACT Relating to public and private partnership in addressing
2 adverse childhood experiences; amending RCW 13.40.462, 43.121.100,
3 43.215.146, 43.215.147, 43.70.555, 74.14A.060, and 70.190.040; adding
4 a new section to chapter 28A.300 RCW; adding a new chapter to Title 70
5 RCW; creating a new section; recodifying RCW 70.190.040; repealing RCW
6 43.121.010, 43.121.015, 43.121.020, 43.121.030, 43.121.040, 43.121.050,
7 43.121.060, 43.121.070, 43.121.080, 43.121.110, 43.121.120, 43.121.130,
8 43.121.140, 43.121.150, 43.121.160, 43.121.185, 43.121.910, 70.190.005,
9 70.190.010, 70.190.020, 70.190.040, 70.190.100, 70.190.110, 70.190.120,
10 70.190.130, 70.190.150, 70.190.920, and 74.14C.050; and providing
11 effective dates.

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

13 NEW SECTION. **Sec. 1.** The legislature finds that adverse childhood
14 experiences are a powerful common determinant of a child's ability to
15 be successful at school and, as an adult, to be successful at work, to
16 avoid behavioral and chronic physical health conditions, and to build
17 healthy relationships. The purpose of this chapter is, through a new
18 or existing public-private partnership and in collaboration with
19 community leadership, including the council for children and families

1 and the family policy council, to identify the primary causes of
2 adverse childhood experiences in communities and to mobilize broad
3 public and private support to prevent harm to young children. A
4 reduction in adverse childhood experiences is sought through a focused
5 effort to identify and utilize evidence-based and research-based
6 approaches and practices to prevent adverse experiences in early
7 childhood and reduce the accumulated harm of adverse experiences
8 throughout childhood.

9 NEW SECTION. **Sec. 2.** The definitions in this section apply
10 throughout this chapter unless the context clearly requires otherwise.

11 (1) "Community public health and safety networks" or "networks"
12 means the organizations authorized under RCW 70.190.060.

13 (2) "Department" means the department of social and health
14 services.

15 (3) "Evidence-based" has the same meaning as in RCW 43.215.146.

16 (4) "Research-based" has the same meaning as in RCW 43.215.146.

17 (5) "Secretary" means the secretary of social and health services.

18 NEW SECTION. **Sec. 3.** (1) The nongovernmental private-public
19 partnership described in section 1 of this act shall focus on
20 preventing and reducing the prevalence of adverse childhood experiences
21 and their enduring effects. The private-public partnership shall
22 support the interests of selected community-based organizations around
23 this common goal. It is recognized that many community public health
24 and safety networks across the state have knowledge and expertise
25 regarding reduction of adverse childhood experiences and will provide
26 leadership on this initiative in their communities. In addition, a
27 broad range of community coalitions involved with early learning and
28 other early childhood initiatives have coalesced in many communities.
29 The intent of the private-public partnership is to coordinate and
30 assemble the strongest components of these networks and coalitions to
31 respond to the initiative of reducing and preventing adverse childhood
32 experiences while providing the flexibility for communities to devise
33 their own strategies and approaches to achieve prevention and
34 reduction.

35 (2) The private-public partnership shall establish criteria for
36 distributing funds to community organizations based upon research and

1 data with demonstrated effectiveness in preventing and reducing adverse
2 childhood experiences. When establishing criteria to distribute funds,
3 the private-public partnership shall give consideration to community
4 public health and safety networks that have a history of providing
5 training and services related to adverse childhood experiences. The
6 method for distributing funds must be based upon data indicating areas
7 of need and the use of evidence-based and research-based strategies to
8 address those needs.

9 (3) In addition to other powers granted to the secretary, the
10 secretary may:

11 (a) Enter into contracts on behalf of the department to carry out
12 the purposes of this chapter;

13 (b) Provide funding to the private-public partnerships; and

14 (c) Accept gifts, grants, or other funds for the purposes of this
15 chapter.

16 **Sec. 4.** RCW 13.40.462 and 2006 c 304 s 2 are each amended to read
17 as follows:

18 (1) The department of social and health services juvenile
19 rehabilitation administration shall establish a reinvesting in youth
20 program that awards grants to counties for implementing research-based
21 early intervention services that target juvenile justice-involved youth
22 and reduce crime, subject to the availability of amounts appropriated
23 for this specific purpose.

24 (2) Effective July 1, 2007, any county or group of counties may
25 apply for participation in the reinvesting in youth program.

26 (3) Counties that participate in the reinvesting in youth program
27 shall have a portion of their costs of serving youth through the
28 research-based intervention service models paid for with moneys from
29 the reinvesting in youth account established pursuant to RCW 13.40.466.

30 (4) The department of social and health services juvenile
31 rehabilitation administration shall review county applications for
32 funding through the reinvesting in youth program and shall select the
33 counties that will be awarded grants with funds appropriated to
34 implement this program. The department, in consultation with the
35 Washington state institute for public policy, shall develop guidelines
36 to determine which counties will be awarded funding in accordance with

1 the reinvesting in youth program. At a minimum, counties must meet the
2 following criteria in order to participate in the reinvesting in youth
3 program:

4 (a) Counties must match state moneys awarded for research-based
5 early intervention services with nonstate resources that are at least
6 proportional to the expected local government share of state and local
7 government cost avoidance that would result from the implementation of
8 such services;

9 (b) Counties must demonstrate that state funds allocated pursuant
10 to this section are used only for the intervention service models
11 authorized pursuant to RCW 13.40.464;

12 (c) Counties must participate fully in the state quality assurance
13 program established in RCW 13.40.468 to ensure fidelity of program
14 implementation. If no state quality assurance program is in effect for
15 a particular selected research-based service, the county must submit a
16 quality assurance plan for state approval with its grant application.
17 Failure to demonstrate continuing compliance with quality assurance
18 plans shall be grounds for termination of state funding; and

19 (d) Counties that submit joint applications must submit for
20 approval by the department of social and health services juvenile
21 rehabilitation administration multicounty plans for efficient program
22 delivery.

23 ~~((5) - The department of social and health services juvenile
24 rehabilitation administration shall convene a technical advisory
25 committee comprised of representatives from the house of
26 representatives, the senate, the governor's office of financial
27 management, the department of social and health services juvenile
28 rehabilitation administration, the family policy council, the juvenile
29 court administrator's association, and the Washington association of
30 counties to assist in the implementation of chapter 304, Laws of
31 2006.))~~

32 **Sec. 5.** RCW 43.121.100 and 2005 c 53 s 4 are each amended to read
33 as follows:

34 ~~((The council may accept))~~ Contributions, grants, or gifts in cash
35 or otherwise, including funds generated by the sale of "heirloom" birth
36 certificates under chapter 70.58 RCW from persons, associations, or
37 corporations and funds generated through the issuance of the "Keep Kids

1 Safe" license plate under chapter (~~46.16~~) 46.18 RCW(~~(. All moneys~~
2 ~~received by the council or any employee thereof from contributions,~~
3 ~~grants, or gifts and not through appropriation by the legislature))
4 shall be deposited in a depository approved by the state treasurer to
5 be known as the children's trust fund. Disbursements of such funds
6 shall be on the authorization of the (~~council or a duly authorized~~
7 ~~representative thereof and only for the purposes stated in RCW~~
8 ~~43.121.050~~) director of the department of early learning beginning
9 July 1, 2012. In order to maintain an effective expenditure and
10 revenue control, such funds shall be subject in all respects to chapter
11 43.88 RCW, but no appropriation shall be required to permit expenditure
12 of such funds.~~

13 **Sec. 6.** RCW 43.215.146 and 2007 c 466 s 2 are each amended to read
14 as follows:

15 The definitions in this section apply throughout this section and
16 RCW (~~43.121.170 through~~) 43.215.145, 43.215.147, and 43.121.185
17 unless the context clearly requires otherwise.

18 (1) "Evidence-based" means a program or practice that has had
19 multiple site random controlled trials across heterogeneous populations
20 demonstrating that the program or practice is effective for the
21 population.

22 (2) "Home visitation" means providing services in the permanent or
23 temporary residence, or in other familiar surroundings, of the family
24 receiving such services.

25 (3) "Research-based" means a program or practice that has some
26 research demonstrating effectiveness, but that does not yet meet the
27 standard of evidence-based practices.

28 **Sec. 7.** RCW 43.215.147 and 2008 c 152 s 6 are each amended to read
29 as follows:

30 (1) Within available funds, the (~~council for children and~~
31 ~~families~~) department shall fund evidence-based and research-based home
32 visitation programs for improving parenting skills and outcomes for
33 children. Home visitation programs must be voluntary and must address
34 the needs of families to alleviate the effect on child development of
35 factors such as poverty, single parenthood, parental unemployment or
36 underemployment, parental disability, or parental lack of high school

1 diploma, which research shows are risk factors for child abuse and
2 neglect and poor educational outcomes. In order to maximize
3 opportunities to obtain matching funds from private entities, general
4 funds intended to support home visiting funding shall be appropriated
5 to the home visiting services account established in RCW 43.215.130.

6 (2) The (~~council for children and families shall develop a plan~~)
7 department shall work with the department of social and health
8 services, the department of health(~~, the department of early learning,~~
9 ~~and the family policy council~~), the private-public partnership created
10 in RCW 43.215.070, and key partners and stakeholders to develop a plan
11 to coordinate or consolidate home visitation services for children and
12 families (~~and report to the appropriate committees of the legislature~~
13 ~~by December 1, 2007, with their recommendations for implementation of~~
14 ~~the plan~~) to the extent practicable.

15 **Sec. 8.** RCW 43.70.555 and 1998 c 245 s 77 are each amended to read
16 as follows:

17 The department(~~, in consultation with the family policy council~~
18 ~~created in chapter 70.190 RCW,~~) shall establish, by rule, standards
19 for local health departments and networks to use in assessment,
20 performance measurement, policy development, and assurance regarding
21 social development to prevent health problems caused by risk factors
22 empirically linked to: Violent criminal acts by juveniles, teen
23 substance abuse, teen pregnancy and male parentage, teen suicide
24 attempts, dropping out of school, child abuse or neglect, and domestic
25 violence. The standards shall be based on the standards set forth in
26 the public health services improvement plan as required by RCW
27 43.70.550.

28 NEW SECTION. **Sec. 9.** Beginning July 1, 2011, the council for
29 children and families and the department of early learning shall
30 develop a plan for transitioning the work of the council for children
31 and families, such as the public awareness campaign, to the department
32 of early learning. The executive director of the council for children
33 and families and the director of the department of early learning shall
34 assure that only those duties that are primarily related to children's
35 early learning shall transition to the department of early learning.
36 The council for children and families and the department of early

1 learning shall, as appropriate, participate in the development of the
2 private-public partnership in order to streamline efforts around the
3 prevention of child abuse and neglect and avoid duplication of effort.

4 **Sec. 10.** RCW 74.14A.060 and 2000 c 219 s 2 are each amended to
5 read as follows:

6 Within available funds, the secretary of the department of social
7 and health services shall ~~((charge appropriated funds to))~~ support
8 blended funding projects for youth ~~((subject to any current or future
9 waiver the department receives to the requirements of IV-E funding))~~.
10 To be eligible for blended funding a child must be eligible for
11 services designed to address a behavioral, mental, emotional, or
12 substance abuse issue from the department of social and health services
13 and require services from more than one categorical service delivery
14 system. Before any blended funding project is established by the
15 secretary, any entity or person proposing the project shall seek input
16 from the public health and safety network or networks established in
17 the catchment area of the project. The network or networks shall
18 submit recommendations on the blended funding project to the ~~((family
19 policy council))~~ private-public partnership described in section 1 of
20 this act. The ~~((family policy council))~~ private-public partnership
21 shall advise the secretary whether to approve the proposed blended
22 funding project. The network shall review the proposed blended funding
23 project pursuant to its authority to examine the decategorization of
24 program funds under RCW 70.190.110, within the current appropriation
25 level. The department shall document the number of children who
26 participate in blended funding projects, the total blended funding
27 amounts per child, the amount charged to each appropriation by program,
28 and services provided to each child through each blended funding
29 project and report this information to the appropriate committees of
30 the legislature by December 1st of each year, beginning in December 1,
31 2000.

32 **Sec. 11.** RCW 70.190.040 and 1993 c 336 s 901 are each amended to
33 read as follows:

34 (1) The legislature finds that helping children to arrive at school
35 ready to learn is an important part of improving student learning.

1 (2) To the extent funds are appropriated, the (~~family-policy~~
2 ~~council~~) superintendent of public instruction shall award grants to
3 community-based consortiums that submit comprehensive plans that
4 include strategies to improve readiness to learn.

5 NEW SECTION. Sec. 12. The following acts or parts of acts, as now
6 existing or hereafter amended, are each repealed, effective June 30,
7 2012:

8 (1) RCW 43.121.010 (Legislative declaration, intent) and 1982 c 4
9 s 1;

10 (2) RCW 43.121.015 (Definitions) and 2008 c 152 s 8, 1988 c 278 s
11 4, & 1987 c 351 s 2;

12 (3) RCW 43.121.020 (Council established--Members, chairperson--
13 Appointment, qualifications, terms, vacancies) and 2008 c 152 s 7, 2007
14 c 144 s 1, 1996 c 10 s 1, 1994 c 48 s 1, 1989 c 304 s 4, 1987 c 351 s
15 3, 1984 c 261 s 1, & 1982 c 4 s 2;

16 (4) RCW 43.121.030 (Compensation and travel expenses of members)
17 and 1984 c 287 s 87 & 1982 c 4 s 3;

18 (5) RCW 43.121.040 (Executive director, salary--Staff) and 1982 c
19 4 s 4;

20 (6) RCW 43.121.050 (Council powers and duties--Generally--Rules)
21 and 1988 c 278 s 5, 1987 c 351 s 4, & 1982 c 4 s 5;

22 (7) RCW 43.121.060 (Contracts for services--Scope of programs--
23 Funding) and 1982 c 4 s 6;

24 (8) RCW 43.121.070 (Contracts for services--Factors in awarding)
25 and 1982 c 4 s 7;

26 (9) RCW 43.121.080 (Contracts for services--Partial funding by
27 administering organization, what constitutes) and 1982 c 4 s 8;

28 (10) RCW 43.121.110 (Parenting skills--Legislative findings) and
29 1988 c 278 s 1;

30 (11) RCW 43.121.120 (Community-based early parenting skills
31 programs--Funding) and 1988 c 278 s 2;

32 (12) RCW 43.121.130 (Decreased state funding of parenting skills
33 programs--Evaluation) and 1998 c 245 s 48 & 1988 c 278 s 3;

34 (13) RCW 43.121.140 (Shaken baby syndrome--Outreach campaign) and
35 1993 c 107 s 2;

36 (14) RCW 43.121.150 (Juvenile crime--Legislative findings) and 1997
37 c 338 s 56;

- 1 (15) RCW 43.121.160 (Postpartum depression--Public information and
2 communication outreach campaign) and 2005 c 347 s 2;
- 3 (16) RCW 43.121.185 (Children's trust of Washington renamed) and
4 2008 c 152 s 5 & 2007 c 466 s 4; and
- 5 (17) RCW 43.121.910 (Severability--1982 c 4) and 1982 c 4 s 15.

6 NEW SECTION. **Sec. 13.** The following acts or parts of acts, as now
7 existing or hereafter amended, are each repealed, effective June 30,
8 2012:

- 9 (1) RCW 70.190.005 (Purpose) and 1994 sp.s. c 7 s 301 & 1992 c 198
10 s 1;
- 11 (2) RCW 70.190.010 (Definitions) and 2009 c 565 s 52, 2009 c 479 s
12 58, 1996 c 132 s 2, 1995 c 399 s 200, & 1992 c 198 s 3;
- 13 (3) RCW 70.190.020 (Consolidate efforts of existing entities) and
14 1994 sp.s. c 7 s 315 & 1992 c 198 s 4;
- 15 (4) RCW 70.190.040 (Finding--Grants to improve readiness to learn)
16 and 1993 c 336 s 901;
- 17 (5) RCW 70.190.100 (Duties of council) and 2009 c 479 s 59, 1998 c
18 245 s 123, & 1994 sp.s. c 7 s 307;
- 19 (6) RCW 70.190.110 (Program review) and 1998 c 245 s 124 & 1994
20 sp.s. c 7 s 308;
- 21 (7) RCW 70.190.120 (Interagency agreement) and 1994 sp.s. c 7 s
22 309;
- 23 (8) RCW 70.190.130 (Comprehensive plan--Approval process--Network
24 expenditures--Penalty for noncompliance with chapter) and 1998 c 314 s
25 13, 1996 c 132 s 8, & 1994 sp.s. c 7 s 310;
- 26 (9) RCW 70.190.150 (Federal restrictions on funds transfers,
27 waivers) and 1994 sp.s. c 7 s 312; and
- 28 (10) RCW 70.190.920 (Effective date--1992 c 198) and 1992 c 198 s
29 21.

30 NEW SECTION. **Sec. 14.** RCW 74.14C.050 (Implementation and
31 evaluation plan) and 1995 c 311 s 9 & 1992 c 214 s 6 are each repealed.

32 NEW SECTION. **Sec. 15.** RCW 70.190.040 is recodified as a section
33 in chapter 28A.300 RCW.

1 NEW SECTION. **Sec. 16.** After June 30, 2012, the lead agency for
2 the children's trust fund, as established in RCW 43.121.100, and the
3 community-based child abuse and prevention fund is the department of
4 early learning.

5 NEW SECTION. **Sec. 17.** Sections 1 through 3 and 16 of this act
6 constitute a new chapter in Title 70 RCW.

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