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SECOND SUBSTITUTE HOUSE BILL 1965

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State of Washington

62nd Legislature

2011 Regular 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, and 74.14A.060; adding a new chapter  
4 to Title 70 RCW; creating a new section; repealing RCW 43.121.010,  
5 43.121.015, 43.121.020, 43.121.030, 43.121.040, 43.121.050, 43.121.060,  
6 43.121.070, 43.121.080, 43.121.110, 43.121.120, 43.121.130, 43.121.140,  
7 43.121.150, 43.121.160, 43.121.910, 70.190.005, 70.190.010, 70.190.020,  
8 70.190.040, 70.190.100, 70.190.110, 70.190.120, 70.190.130, 70.190.150,  
9 70.190.920, and 74.14C.050; and providing effective dates.

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

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

1 public and private support to prevent harm to young children. A  
2 reduction in adverse childhood experiences is sought through a focused  
3 effort to identify and utilize evidence-based and research-based  
4 approaches and practices to prevent adverse experiences in early  
5 childhood and reduce the accumulated harm of adverse experiences  
6 throughout childhood.

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

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

11 (2) "Department" means the department of social and health  
12 services.

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

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

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

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

33 (2) The private-public partnership shall establish criteria for  
34 distributing funds to community organizations based upon research and  
35 data with demonstrated effectiveness in preventing and reducing adverse  
36 childhood experiences. When establishing criteria to distribute funds,

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

7 (3) In addition to other powers granted to the secretary, the  
8 secretary may:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 ~~((The council may accept))~~ Contributions, grants, or gifts in cash  
32 or otherwise, including funds generated by the sale of "heirloom" birth  
33 certificates under chapter 70.58 RCW from persons, associations, or  
34 corporations and funds generated through the issuance of the "Keep Kids  
35 Safe" license plate under chapter ~~((46.16))~~ 46.18 RCW~~((All moneys  
36 received by the council or any employee thereof from contributions,  
37 grants, or gifts and not through appropriation by the legislature))~~,

1 shall be deposited in a depository approved by the state treasurer to  
2 be known as the children's trust fund. Disbursements of such funds  
3 shall be on the authorization of the (~~council or a duly authorized~~  
4 ~~representative thereof and only for the purposes stated in RCW~~  
5 ~~43.121.050~~) director of the department of early learning beginning  
6 July 1, 2012. In order to maintain an effective expenditure and  
7 revenue control, such funds shall be subject in all respects to chapter  
8 43.88 RCW, but no appropriation shall be required to permit expenditure  
9 of such funds.

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

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

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

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

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

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

27 (1) Within available funds, the (~~council for children and~~  
28 ~~families~~) department shall fund evidence-based and research-based home  
29 visitation programs for improving parenting skills and outcomes for  
30 children. Home visitation programs must be voluntary and must address  
31 the needs of families to alleviate the effect on child development of  
32 factors such as poverty, single parenthood, parental unemployment or  
33 underemployment, parental disability, or parental lack of high school  
34 diploma, which research shows are risk factors for child abuse and  
35 neglect and poor educational outcomes. In order to maximize

1 opportunities to obtain matching funds from private entities, general  
2 funds intended to support home visiting funding shall be appropriated  
3 to the home visiting services account established in RCW 43.215.130.

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

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

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

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

1 private-public partnership in order to streamline efforts around the  
2 prevention of child abuse and neglect and avoid duplication of effort.

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

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

31 NEW SECTION. **Sec. 11.** The following acts or parts of acts, as now  
32 existing or hereafter amended, are each repealed, effective June 30,  
33 2012:

34 (1) RCW 43.121.010 (Legislative declaration, intent) and 1982 c 4  
35 s 1;

- 1 (2) RCW 43.121.015 (Definitions) and 2008 c 152 s 8, 1988 c 278 s  
2 4, & 1987 c 351 s 2;
- 3 (3) RCW 43.121.020 (Council established--Members, chairperson--  
4 Appointment, qualifications, terms, vacancies) and 2008 c 152 s 7, 2007  
5 c 144 s 1, 1996 c 10 s 1, 1994 c 48 s 1, 1989 c 304 s 4, 1987 c 351 s  
6 3, 1984 c 261 s 1, & 1982 c 4 s 2;
- 7 (4) RCW 43.121.030 (Compensation and travel expenses of members)  
8 and 1984 c 287 s 87 & 1982 c 4 s 3;
- 9 (5) RCW 43.121.040 (Executive director, salary--Staff) and 1982 c  
10 4 s 4;
- 11 (6) RCW 43.121.050 (Council powers and duties--Generally--Rules)  
12 and 1988 c 278 s 5, 1987 c 351 s 4, & 1982 c 4 s 5;
- 13 (7) RCW 43.121.060 (Contracts for services--Scope of programs--  
14 Funding) and 1982 c 4 s 6;
- 15 (8) RCW 43.121.070 (Contracts for services--Factors in awarding)  
16 and 1982 c 4 s 7;
- 17 (9) RCW 43.121.080 (Contracts for services--Partial funding by  
18 administering organization, what constitutes) and 1982 c 4 s 8;
- 19 (10) RCW 43.121.110 (Parenting skills--Legislative findings) and  
20 1988 c 278 s 1;
- 21 (11) RCW 43.121.120 (Community-based early parenting skills  
22 programs--Funding) and 1988 c 278 s 2;
- 23 (12) RCW 43.121.130 (Decreased state funding of parenting skills  
24 programs--Evaluation) and 1998 c 245 s 48 & 1988 c 278 s 3;
- 25 (13) RCW 43.121.140 (Shaken baby syndrome--Outreach campaign) and  
26 1993 c 107 s 2;
- 27 (14) RCW 43.121.150 (Juvenile crime--Legislative findings) and 1997  
28 c 338 s 56;
- 29 (15) RCW 43.121.160 (Postpartum depression--Public information and  
30 communication outreach campaign) and 2005 c 347 s 2; and
- 31 (16) RCW 43.121.910 (Severability--1982 c 4) and 1982 c 4 s 15.

32 NEW SECTION. **Sec. 12.** The following acts or parts of acts, as now  
33 existing or hereafter amended, are each repealed, effective June 30,  
34 2012:

- 35 (1) RCW 70.190.005 (Purpose) and 1994 sp.s. c 7 s 301 & 1992 c 198  
36 s 1;



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

20 NEW SECTION. **Sec. 13.** RCW 74.14C.050 (Implementation and  
21 evaluation plan) and 1995 c 311 s 9 & 1992 c 214 s 6 are each repealed.

22 NEW SECTION. **Sec. 14.** After June 30, 2012, the lead agency for  
23 the children's trust fund, as established in RCW 43.121.100, and the  
24 community-based child abuse and prevention fund is the department of  
25 early learning.

26 NEW SECTION. **Sec. 15.** Sections 1 through 3 and 14 of this act  
27 constitute a new chapter in Title 70 RCW.

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