

# SENATE BILL REPORT

## HB 1361

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As Reported by Senate Committee On:  
Human Services & Corrections, March 28, 2013

**Title:** An act relating to the purchase of care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order.

**Brief Description:** Modifying the requirements for purchase of care for Indian children.

**Sponsors:** Representatives Kagi, Ryu, McCoy, Walsh, Sawyer and Tharinger; by request of Department of Social and Health Services.

**Brief History:** Passed House: 3/04/13, 93-5.

**Committee Activity:** Human Services & Corrections: 3/14/13, 3/28/13 [DP].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Pearson, Vice Chair; Darneille, Ranking Member; Baumgartner, Hargrove, Harper and Padden.

**Staff:** Shani Bauer (786-7468)

**Background:** The Department of Social and Health Services (DSHS) has authority to purchase care for Indian children who are in the custody of a federally recognized tribe or tribally licensed child-placing agency.

By December 1, 2013, the Children's Administration within DSHS must provide child welfare services and support through network administrators, rather than through contracts with individual service providers. The services provided under the network administrator model must be pursuant to performance-based contracts.

In discussing implementation of the network administrator or performance-based contracting model with the tribal child welfare systems of Washington's federally recognized tribes, it became evident that the network administrator contracting model does not always fit within tribal practices and tribal culturally based services, or within the existing government-to-government agreements.

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*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.*

**Summary of Bill:** The purchase of care or services on behalf of an Indian child who is in the custody of a federally recognized tribe or child-placing agency licensed by a tribe is exempt from the requirement that the care or services be obtained through a network administrator by virtue of a performance-based contract.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill presents an administrative fix that cleans up an inadvertent error. When the bill passed for performance-based contracts, Indian children were not exempt. The bill request is the result of consultation with tribal governments. DSHS has a long-standing relationship with tribes and meets with them on a regular basis. This relationship ensures tribes are able to utilize successful services even though they may not meet the rigors of evidence-based practices. This will ensure that tribes and DSHS can continue to work collaboratively.

**Persons Testifying:** PRO: Tammy Cordova, DSHS.