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**SUBSTITUTE SENATE BILL 5531**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Darneille, Litzow, Hargrove, Murray, Nelson, Carrell, Pearson, Fain, Mullet, Harper, Tom, Rivers, Hewitt, Hill, and Keiser)

READ FIRST TIME 02/21/13.

1       AN ACT Relating to measuring performance of the child welfare  
2 system; adding a new section to chapter 74.13 RCW; and creating a new  
3 section.

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

5       NEW SECTION.   **Sec. 1.** (1) The legislature recognizes that the  
6 goals of the child welfare system are to protect the safety,  
7 permanence, and well-being of the children it serves. The legislature  
8 further recognizes the importance of maintaining publicly accessible  
9 data that tracks the performance of the child welfare system, leading  
10 to transparency and public understanding of the system.

11       (2) The legislature believes it is important to measure safety,  
12 permanence, and well-being such that the public and the legislature  
13 understand how the child welfare system is performing. This  
14 information will also serve the legislature in determining priorities  
15 for investment of public dollars as well as need for substantive  
16 legislative changes to facilitate improvement.

17       The agencies will not disclose individually identifiable private  
18 information except as allowable under federal and state law.

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

3        (1) A university-based child welfare research entity and the  
4 department, in collaboration with other stakeholders, shall develop  
5 measurements in the areas of safety, permanence, and well-being using  
6 existing and available data. Measurements must be calculated from data  
7 used in the routine work of the state agencies' data and information  
8 technology departments. Any new record linkage or data-matching  
9 activities required in fulfillment of this section may be performed by  
10 the research entity pursuant to agreements developed under subsection  
11 (6) of this section. The state agencies include any agency or  
12 subagency providing data used in the integrated client database  
13 maintained by the research and data analysis division of the  
14 department. Data must be shared subject to applicable federal and  
15 state law.

16        (2) All measurements must use a methodology accepted by the  
17 scientific community. Wherever possible, all measurements must address  
18 any disproportionate racial and ethnic inequality.

19        (3) The initial measurements must be developed by October 31, 2013.

20        (4) The measurements may not require the state agencies to revise  
21 their data collection systems, nor to provide individually identifiable  
22 information.

23        (5) The state agencies shall provide the research entity with all  
24 measurement data related to the measures developed under this section  
25 at least quarterly, consistent with subsection (3) of this section,  
26 beginning January 1, 2014. The research entity shall make data  
27 publicly available. The research entity shall report on the data to  
28 the legislature and the governor annually starting December 31, 2014.

29        (6) By July 1, 2014, the state agencies shall execute agreements  
30 with the research entity to enable sharing of data sufficient to comply  
31 with this section.

32        (7) The fact that the research entity has chosen to:

33        (a) Use a specific measure;

34        (b) Use a specific baseline; or

35        (c) Compare any measure to a baseline

36 is not admissible as evidence of negligence by the department in a

1 civil action.

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