

EHB 2749 - S COMM AMD

By Committee on Human Services, Mental Health & Housing

ADOPTED 03/01/2016

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 74.13.360 and 2013 c 205 s 4 are each amended to
4 read as follows:

5 (1) No later than December 30, (~~2016~~) 2019:

6 (a) In the demonstration sites selected under RCW
7 74.13.368(4)(a), child welfare services shall be provided by
8 supervising agencies with whom the department has entered into
9 performance-based contracts. Supervising agencies may enter into
10 subcontracts with other licensed agencies; and

11 (b) Except as provided in subsection (3) of this section, and
12 notwithstanding any law to the contrary, the department may not
13 directly provide child welfare services to families and children
14 provided child welfare services by supervising agencies in the
15 demonstration sites selected under RCW 74.13.368(4)(a).

16 (2) No later than December 30, (~~2016~~) 2019, for families and
17 children provided child welfare services by supervising agencies in
18 the demonstration sites selected under RCW 74.13.368(4)(a), the
19 department is responsible for only the following:

20 (a) Monitoring the quality of services for which the department
21 contracts under this chapter;

22 (b) Ensuring that the services are provided in accordance with
23 federal law and the laws of this state, including the Indian child
24 welfare act;

25 (c) Providing child protection functions and services, including
26 intake and investigation of allegations of child abuse or neglect,
27 emergency shelter care functions under RCW 13.34.050, and referrals
28 to appropriate providers; and

29 (d) Issuing licenses pursuant to chapter 74.15 RCW.

30 (3) No later than December 30, (~~2016~~) 2019, for families and
31 children provided child welfare services by supervising agencies in

1 the demonstration sites selected under RCW 74.13.368(4)(a), the
2 department may provide child welfare services only:

3 (a) For the limited purpose of establishing a control or
4 comparison group as deemed necessary by the child welfare
5 transformation design committee, with input from the Washington state
6 institute for public policy, to implement the demonstration sites
7 selected and defined pursuant to RCW 74.13.368(4)(a) in which the
8 performance in achieving measurable outcomes will be compared and
9 evaluated pursuant to RCW 74.13.370; or

10 (b) In an emergency or as a provider of last resort. The
11 department shall adopt rules describing the circumstances under which
12 the department may provide those services. For purposes of this
13 section, "provider of last resort" means the department is unable to
14 contract with a private agency to provide child welfare services in a
15 particular geographic area or, after entering into a contract with a
16 private agency, either the contractor or the department terminates
17 the contract.

18 (4) For purposes of this chapter, on and after September 1, 2010,
19 performance-based contracts shall be structured to hold the
20 supervising agencies accountable for achieving the following goals in
21 order of importance: Child safety; child permanency, including
22 reunification; and child well-being.

23 (5) A federally recognized tribe located in this state may enter
24 into a performance-based contract with the department to provide
25 child welfare services to Indian children whether or not they reside
26 on a reservation. Nothing in this section prohibits a federally
27 recognized Indian tribe located in this state from providing child
28 welfare services to its members or other Indian children pursuant to
29 existing tribal law, regulation, or custom, or from directly entering
30 into agreements for the provision of such services with the
31 department, if the department continues to otherwise provide such
32 services, or with federal agencies.

33 **Sec. 2.** RCW 74.13.370 and 2012 c 205 s 9 are each amended to
34 read as follows:

35 (1) Based upon the recommendations of the child welfare
36 transformation design committee, including the two sets of outcomes
37 developed by the committee under RCW 74.13.368(4)(b), the Washington
38 state institute for public policy is to conduct a review of
39 measurable effects achieved by the supervising agencies and compare

1 those measurable effects with the existing services offered by the
2 state. The report on the measurable effects shall be provided to the
3 governor and the legislature no later than April 1, 2018.

4 (2) No later than December 1, 2014, the Washington state
5 institute for public policy shall provide the legislature and the
6 governor an initial report on the department's conversion to the use
7 of performance-based contracts as provided in RCW 74.13B.020 and
8 74.13B.030. No later than (~~June 30, 2016~~) April 1, 2023, the
9 Washington state institute for public policy shall provide the
10 governor and the legislature with a second report on the extent to
11 which the use of performance-based contracting has resulted in:

12 (a) Increased use of evidence-based, research-based, and
13 promising practices; and

14 (b) Improvements in outcomes for children, including child
15 safety, child permanency, including reunification, and child
16 well-being.

17 (3) The department and network administrators shall respond to
18 the Washington institute for public policy's request for data and
19 other information with which to complete these reports in a timely
20 manner.

21 (4) The Washington state institute for public policy must consult
22 with a university-based child welfare research entity to evaluate
23 performance-based contracting.

24 **Sec. 3.** RCW 74.13.372 and 2012 c 205 s 11 are each amended to
25 read as follows:

26 Not later than June 1, (~~2018~~) 2023, the governor shall, based
27 on the report by the Washington state institute for public policy,
28 determine whether to expand chapter 520, Laws of 2009 to the
29 remainder of the state or terminate chapter 520, Laws of 2009. The
30 governor shall inform the legislature of his or her decision within
31 seven days of the decision. The department shall, regardless of the
32 decision of the governor regarding the delivery of child welfare
33 services, continue to purchase services through the use of
34 performance-based contracts."

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1 On page 1, line 3 of the title, after "system;" strike the
2 remainder of the title and insert "and amending RCW 74.13.360,
3 74.13.370, and 74.13.372."

EFFECT: The date by which the Governor must decide whether to expand the demonstration sites statewide is extended from June 1, 2018, to June 1, 2023.

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