

HOUSE BILL REPORT

SHB 2440

As Amended by the Senate

Title: An act relating to host home programs for youth.

Brief Description: Concerning host home programs for youth.

Sponsors: House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Smith, McBride, Hargrove, McCaslin, Dent, Clibborn, Walsh, Walkinshaw, Scott, Sawyer, Ortiz-Self, Caldier, Hudgins, Senn, Robinson, Ormsby, Cody, Jenkins, Fey, Zeiger, Frame, Kilduff, Bergquist and Goodman).

Brief History:

Committee Activity:

Early Learning & Human Services: 1/22/16, 1/27/16 [DPS].

Floor Activity:

Passed House: 2/10/16, 95-1.

Senate Amended.

Passed Senate: 3/2/16, 47-0.

Brief Summary of Substitute Bill

- Creates an exemption from foster licensing for certain host homes and host home programs.
- Requires the Department of Commerce to provide a report to the Governor and Legislature regarding the best practices for host home programs including any recommendations regarding licensing or certifying host home programs by July 1, 2017.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Kagi, Chair; Senn, Vice Chair; Walsh, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hawkins, Kilduff, McCaslin, Ortiz-Self, Sawyer, Scott and Walkinshaw.

Staff: Luke Wickham (786-7146).

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.

Background:

Foster Care Licensing.

Any person, group, or facility that receives children for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children must have a license with the Division of Licensed Resources (DLR), a division within the Department of Social and Health Services (DSHS) Children's Administration.

There are exceptions to this licensing requirement including:

- certain relatives;
- adoptive parents and guardians;
- situations where parents agree to out-of-home placement and the placement is not receiving state payment for the placement;
- exchange students;
- children entering the country with visas meeting the criteria for medical care;
- certain schools;
- certain hospitals;
- licensed physicians or lawyers;
- certain training centers for individuals with developmental disabilities;
- certain agencies in operation prior to 1957 not receiving governmental assistance;
- certain persons approved for placement by a court;
- certain agencies operated by governmental entities or Indian tribes;
- certain security programs for juvenile offenders; and
- agencies located on a federal military reservation.

In addition to applying for a foster license through the DLR, an individual may apply for a foster license through a Child Placing Agency (CPA) that has been licensed by the DLR to supervise foster homes. These CPAs are authorized to certify to the DLR that an individual meets the licensing requirements. The DLR has the final approval for licensing an individual who is certified by a CPA.

To be considered for a foster care license, an applicant must:

- be at least 21 years of age;
- have sufficient income to support themselves without relying on foster care payment;
- discipline children in a positive manner without the use of physical punishment;
- provide supervision appropriate to the age or specific behavior of the child as outlined by the social worker; and
- complete first aid/CPR training, blood-borne pathogens training, licensing orientation, and preservice training.

Any adult living in a potential foster home must:

- complete a criminal background check with the Federal Bureau of Investigation and Washington State Patrol (WSP);
- complete a child abuse and neglect registry check from each state they lived in over the past five years; and
- submit tuberculosis tests dated within the last year.

Youth ages 16 to 18 years old in the household must complete a WSP check. A DLR licensor will also assess an applicant's ability to provide a safe home and to provide the quality of care needed by children placed in the home.

All licensed family foster homes are required to complete the following ongoing training:

- 36 hours during their first three-year licensing period;
- 30 hours during their second three-year licensing period; and
- 24 hours during all subsequent three-year licensing periods.

Host Homes.

Host home programs recruit and train families to provide temporary homes to youth or families in crisis. These host homes and host home programs have not been licensed by the DLR. Host home programs for youth in Washington include Ryan's House for Youth, Olive Crest, the Mason County HOST Program, and Tacoma Shared Housing Services.

Summary of Substitute Bill:

The substitute bill exempts from licensing host home programs that:

- do not serve children in the care and custody of the DSHS;
- are operated by a tax-exempt organization that recruits and screens potential host homes;
- perform background checks on individuals residing in the homes through the WSP or equivalent law enforcement agency, and perform physical inspections of the homes;
- provide case management services to youth in the program;
- obtain written and notarized permission or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program;
- provide mandatory reporter training to host home program staff; and
- obtain insurance for the program.

By July 1, 2017, the Office of Homeless Youth Prevention and Protection Programs within the Department of Commerce shall provide a report to the Governor and the appropriate committees of the Legislature that includes the best practices for host home programs, including any recommendations regarding licensing or certifying host home programs.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment:

- removes the definition of host homes and host home programs as agencies that require licensure;
- requires that host homes and host home programs provide mandatory reporter and confidentiality training and includes host homes and host home programs as mandatory reporters;
- specifies that host homes and host home programs perform background checks on individuals over the age of 18 who are residing in the home;
- requires that the notarized permission or limited power of attorney from a parent authorizing a child to participate in a host home program be updated every six months if the child remains in the host home longer than six months;

- bars host homes and host home programs from receiving any governmental funding; and
- requires host homes and host home programs to register with the Secretary of State. This registration must include a notarized statement by the host home program that it meets all of the statutory requirements.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 28, 2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Ryan's House was started on Whidbey Island because there are no shelters on the island. One of the first participants in this program is now 30 years old and works for the DSHS. For three and a half years, the DSHS has performed background checks for the program. Last summer, Ryan's House was visited by the Division of Licensing Resources of DSHS and was informed that the organization must cease operation because it is not licensed. Ryan's House is privately funded and the parents or guardians of these youth give permission for their children to participate. If the program does not receive permission from parents, the youth may come to the program during the day but may not reside in the program through overnight stays. Most of the youth that Ryan's House comes into contact with have parents who are willing to give permission to participate in the program. Host home programs give youth hope that they can accomplish more than just survival. Ryan's House helps move youth away from the negative influences that exist in their lives. With the support of Ryan's House, youth are able to succeed and take in youth through the same program. There are mediation and counseling services provided by Ryan's House to participating host homes.

The host home program in Mason County was developed to support homeless youth and increase educational success. Host homes rely on community relationships with treatment programs, the DSHS, nurse partnerships, law enforcement, and local artists, among others to help support youth. Ninety-eight percent of the youth involved in the Mason County host home program have enrolled in post-secondary education, and all have received employment. The future is predicated on youth being able to have shelter and maintain relationships with host home families and biological families. The Mason County program can serve approximately 40 youth. The Mason County program does not place more than one child per host home. This program serves many youth who have been chronically homeless. The Mason County program provides transportation and stipends for everyday expenses.

By matching homeless youth with a mentor in the community and also placing that youth with the mentor in a home, host home programs provide tailored services for a wide variety of youth. Through creative partnerships, host home programs have provided support for a variety of youth. Many of the youth who would benefit from this exemption are unlikely to be served by the foster system. Host home programs can educate youth and provide services

to these youth. The first youth involved in the Tacoma program came back to his host home after many years away from this host home. Youth ages 12 to 18 years old are often not served well by the DSHS, and host home programs can help fill this gap. The families involved with host home programs often don't have the same community to fall back on that many other families do. Host home programs provide that community. What these families provide is immediate, temporary support. The more barriers that are in place to providing homes for youth, the less support will be provided. Host home programs provide support individual to the youth being served. There are trainings and support specific to Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) youth and youth who are transitioning. Because many homeless youth are LGBTQ, it is critical that host home programs have training and support around that community.

Olive Crest operates Safe Families, which is for families that find themselves in crisis and need temporary support. All host home programs currently use the background check requirements used by the DSHS. There is currently a mandatory reporting requirement in the bill. There is no fiscal impact on this bill. This bill allows individuals to support youth on a voluntary, privately funded basis. Because there is no pre-existing relationship between youth and families, there is a need to exempt these youth. Each of the host home programs raise money in their own way. There is no compensation in the Safe Families program for families. This is a 24-hour care service.

(Opposed) None.

(Other) The Office of the Family & Children's Ombuds (Ombuds Office) supports the intent of this bill. The recent report of the Ombuds Office highlights the need for more placements for youth. The Ombuds Office has three suggestions for strengthening the bill. There is no minimum standard provided for background checks. There is no renewal process; we suggest a three-year licensing. Host home programs should be included as mandated reporters. The Ombuds Office maintains a neutral posture on legislation to maintain the integrity of the office, while we support the intention of the bill. The Ombuds Office is not aware of any complaints against host home programs.

Persons Testifying: (In support) Lori Cavender, Chris Reilley, and Nicole Sorensen, Ryan's House for Youth; Keandra Radchenko, Kim Reinhardt, and Clover Gage; Carley Cysensky and Dana Coggen, Tacoma Shared Housing; and Suzi Entwistle and Jeff Judy, Safe Families.

(Other) Patrick Dowd, Office of the Family & Children's Ombuds.

Persons Signed In To Testify But Not Testifying: None.