

SENATE BILL REPORT

SB 6229

As Reported by Senate Committee On:
Human Services, Mental Health & Housing, January 26, 2016

Title: An act relating to streamlining foster care licensing.

Brief Description: Streamlining foster care licensing.

Sponsors: Senators O'Ban, Darneille, Carlyle and Rolfes.

Brief History:

Committee Activity: Human Services, Mental Health & Housing: 1/18/16, 1/26/16 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Majority Report: That Substitute Senate Bill No. 6229 be substituted therefor, and the substitute bill do pass.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Staff: Alison Mendiola (786-7444)

Background: A child-placing agency (CPA) is licensed by the Division of Licensed Resources (DLR) within the Children's Administration to place children in foster homes or adoption. CPAs may also certify foster homes.

Foster Care License. A person must be licensed by DLR or a CPA in order to provide care for an unrelated child on a 24 hour a day basis. A person must complete a licensing application packet with all DLR required documents within 90 days of submitting the application and background authorization forms to DLR. If an applicant does not meet the 90 day deadline, the licenser can withdraw the application.

To be licensed, the applicant and other caregivers over the age of 18 must, among other requirements:

- complete first aid training and age-appropriate adult or infant CPR;
- complete HIV/AIDS and blood borne pathogens training;
- pass background check requirements: anyone over the age of 16 must pass a criminal history check, and anyone over the age of 18 must pass an FBI fingerprint check; and

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- have proof of current immunization status for any children living on the premises - exceptions may be granted.

Foster Care Data. As of October 31, 2015, there were 8,713 children and youth residing in out-of-home care, of which 5,182 were in licensed foster care. At this same time there were 4,945 licensed foster care homes. Given the number of children in out-of-home care, there is concern that more should be done to recruit and retain foster care homes.

Summary of Bill (Recommended Substitute): To streamline foster care licensing for child-placing agencies (CPAs), the Department of Social and Health Services (DSHS) is to:

1. accept foster care parent applications electronically;
2. complete and return background clearances within 30 days, or provide an explanation to either the prospective parent, the CPA, or both about why there is a delay;
3. ensure that the forms required across the state are uniform and consistent between DSHS regions;
4. not require an applicant to resubmit information on a substantially similar form if forms change after the foster care application has been received;
5. ensure that foster parent applications are processed in a timely manner - if the application process is not complete within 90 days of the department's receipt, and the delay is not based on missing information from the applicant, the department shall extend the application process an additional 30 days; and
6. email the fingerprint original case agency number to a CPA within five business days of receipt of the fingerprint-based background notice from the family or CPA, in order to expedite a CPA's ability to arrange for fingerprint appointments for foster parents and potential foster parents.

EFFECT OF CHANGES MADE BY HUMAN SERVICES, MENTAL HEALTH & HOUSING COMMITTEE (Recommended Substitute): If the application process is not complete within 120 days of DSHS's receipt, DSHS is to provide an explanation to either the prospective parent, the CPA, or both about why there is a delay. It is further clarified that the provisions of the bill only apply to the processing of foster care licensing applications for child-placing agencies. An application may be submitted to DSHS electronically, provided that the application is scanned and includes an original signature. References to "agency" are changed to "department".

Appropriation: None.

Fiscal Note: Requested on January 13, 2016.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: There is a real challenge in recruiting and retaining foster families. If you start the licensing process you should be able to track the progress through a database. This will increase foster parent satisfaction. Division of Licensing Resources (DLR) should be held accountable to timeframes and there should be accuracy across the state. This bill will ensure joint accountability. Some families

have to submit the application or parts of the application twice as forms may expire due to DLR's delay. In some regions you can really have DLR process an application within 90 days but it really varies across the state. Also, subjectivity causes great delays.

OTHER: The concern is the additional workload this will create. This bill needs to be funded appropriately. Lack of funding impacts the department's ability to recruit. Also, sometimes it's the child-placing agency (CPA) that isn't timely but this bill doesn't address any responsibility of CPAs and it's not clear that this bill only applies to CPAs. Sometimes DLR has a good reason for needing additional information. DLR doesn't have any control over background checks. DLR is working on having people come into the office as an option.

Persons Testifying on Original Bill: PRO: Linda Thomas, Catholic Community Services of Western Washington; and Brian Carroll, Washington Association For Children and Families.

OTHER: Alia Griffing, WA Federation of State Employees; and Jennifer Strus, Childrens Administration, DSHS.

Persons Signed In To Testify But Not Testifying: No one.