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SENATE BILL 6382

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State of Washington

64th Legislature

2016 Regular Session

By Senators O'Ban, Darneille, and Miloscia; by request of Department of Social and Health Services

Read first time 01/19/16. Referred to Committee on Human Services, Mental Health & Housing.

1 AN ACT Relating to the extension of dates concerning measuring  
2 performance and performance-based contracting of the child welfare  
3 system; and amending RCW 74.13.360.

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

5 **Sec. 1.** RCW 74.13.360 and 2013 c 205 s 4 are each amended to  
6 read as follows:

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

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

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

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

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

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

6 (c) Providing child protection functions and services, including  
7 intake and investigation of allegations of child abuse or neglect,  
8 emergency shelter care functions under RCW 13.34.050, and referrals  
9 to appropriate providers; and

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

11 (3) No later than December 30, (~~2016~~) 2019, for families and  
12 children provided child welfare services by supervising agencies in  
13 the demonstration sites selected under RCW 74.13.368(4)(a), the  
14 department may provide child welfare services only:

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

22 (b) In an emergency or as a provider of last resort. The  
23 department shall adopt rules describing the circumstances under which  
24 the department may provide those services. For purposes of this  
25 section, "provider of last resort" means the department is unable to  
26 contract with a private agency to provide child welfare services in a  
27 particular geographic area or, after entering into a contract with a  
28 private agency, either the contractor or the department terminates  
29 the contract.

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

35 (5) A federally recognized tribe located in this state may enter  
36 into a performance-based contract with the department to provide  
37 child welfare services to Indian children whether or not they reside  
38 on a reservation. Nothing in this section prohibits a federally  
39 recognized Indian tribe located in this state from providing child  
40 welfare services to its members or other Indian children pursuant to

1 existing tribal law, regulation, or custom, or from directly entering  
2 into agreements for the provision of such services with the  
3 department, if the department continues to otherwise provide such  
4 services, or with federal agencies.

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