

SSB 5955 - H COMM AMD

By Committee on Human Services & Early Learning

ADOPTED AND ENGROSSED 4/4/19

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

3 **"Sec. 1.** RCW 13.34.270 and 2004 c 183 s 2 are each amended to
4 read as follows:

5 (1) Whenever the department of social and health services places
6 a child with a developmental disability in out-of-home care pursuant
7 to RCW 74.13.350, the department shall obtain a judicial
8 determination within one hundred eighty days of the placement that
9 continued placement is in the best interests of the child. If the
10 child's out-of-home placement ends before one hundred eighty days
11 have elapsed, no judicial determination is required.

12 (2) To obtain the judicial determination, the department shall
13 file a petition alleging that there is located or residing within the
14 county a child who has a developmental disability and that the child
15 has been placed in out-of-home care pursuant to RCW 74.13.350. The
16 petition shall request that the court review the child's placement,
17 make a determination whether continued placement is in the best
18 interests of the child, and take other necessary action as provided
19 in this section. The petition shall contain the name, date of birth,
20 and residence of the child and the names and residences of the
21 child's parent or legal guardian who has agreed to the child's
22 placement in out-of-home care. Reasonable attempts shall be made by
23 the department to ascertain and set forth in the petition the
24 identity, location, and custodial status of any parent who is not a
25 party to the placement agreement and why that parent cannot assume
26 custody of the child.

27 (3) Upon filing of the petition, the clerk of the court shall
28 schedule the petition for a hearing to be held no later than fourteen
29 calendar days after the petition has been filed. The department shall
30 provide notification of the time, date, and purpose of the hearing to
31 the parent or legal guardian who has agreed to the child's placement
32 in out-of-home care. The department shall also make reasonable

1 attempts to notify any parent who is not a party to the placement
2 agreement, if the parent's identity and location is known.
3 Notification under this section may be given by the most expedient
4 means, including but not limited to, mail, personal service, and
5 telephone.

6 (4) The court shall appoint a guardian ad litem for the child as
7 provided in RCW 13.34.100, unless the court for good cause finds the
8 appointment unnecessary.

9 (5) Permanency planning hearings shall be held as provided in
10 this section. At the hearing, the court shall review whether the
11 child's best interests are served by continued out-of-home placement
12 and determine the future legal status of the child.

13 (a) For children age ten and under, a permanency planning hearing
14 shall be held in all cases where the child has remained in out-of-
15 home care for at least nine months and an adoption decree or
16 guardianship order under chapter 11.88 RCW has not previously been
17 entered. The hearing shall take place no later than twelve months
18 following commencement of the child's current placement episode.

19 (b) For children over age ten, a permanency planning hearing
20 shall be held in all cases where the child has remained in out-of-
21 home care for at least fifteen months and an adoption decree or
22 guardianship order under chapter 11.88 RCW has not previously been
23 entered. The hearing shall take place no later than eighteen months
24 following commencement of the current placement episode.

25 (c) No later than ten working days before the permanency planning
26 hearing, the department shall submit a written permanency plan to the
27 court and shall mail a copy of the plan to all parties. The plan
28 shall be directed toward securing a safe, stable, and permanent home
29 for the child as soon as possible. The plan shall identify one of the
30 following outcomes as the primary goal and may also identify
31 additional outcomes as alternative goals: Return of the child to the
32 home of the child's parent or legal guardian; adoption; guardianship;
33 or long-term out-of-home care, until the child is age eighteen, with
34 a written agreement between the parties and the child's care
35 provider.

36 (d) If a goal of long-term out-of-home care has been achieved
37 before the permanency planning hearing, the court shall review the
38 child's status to determine whether the placement and the plan for
39 the child's care remains appropriate. In cases where the primary
40 permanency planning goal has not been achieved, the court shall

1 inquire regarding the reasons why the primary goal has not been
2 achieved and determine what needs to be done to make it possible to
3 achieve the primary goal.

4 (e) Following the first permanency planning hearing, the court
5 shall hold a further permanency planning hearing in accordance with
6 this section at least once every twelve months until a permanency
7 planning goal is achieved or the voluntary placement agreement is
8 terminated.

9 (6) Any party to the voluntary placement agreement may terminate
10 the agreement at any time. Upon termination of the agreement, the
11 child shall be returned to the care of the child's parent or legal
12 guardian, unless the child has been taken into custody pursuant to
13 RCW 13.34.050 or 26.44.050, placed in shelter care pursuant to RCW
14 13.34.060, or placed in foster care pursuant to RCW 13.34.130. The
15 department shall notify the court upon termination of the voluntary
16 placement agreement and return of the child to the care of the
17 child's parent or legal guardian. Whenever a voluntary placement
18 agreement is terminated, an action under this section shall be
19 dismissed.

20 (7) When state or federal funds are expended for the care and
21 maintenance of a child with a developmental disability, placed in
22 care as a result of an action under this chapter, the department
23 shall refer the case to the division of child support, unless the
24 department finds that there is good cause not to pursue collection of
25 child support against the parent or parents of the child.

26 (8) This section does not prevent the department of children,
27 youth, and families from filing a dependency petition if there is
28 reason to believe that the child is a dependent child as defined in
29 RCW 13.34.030. An action filed under this section shall be dismissed
30 upon the filing of a dependency petition regarding a child who is the
31 subject of the action under this section.

32 (9) For purposes of this section, unless the context clearly
33 requires otherwise, "department" means the department of social and
34 health services.

35 **Sec. 2.** RCW 13.36.030 and 2010 c 272 s 3 are each amended to
36 read as follows:

37 (1) Any party to a dependency proceeding under chapter 13.34 RCW
38 may request a guardianship be established for a dependent child by
39 filing a petition in juvenile court under this chapter. All parties

1 to the dependency and the proposed guardian must receive adequate
2 notice of all proceedings under this chapter. Service of the notice
3 and summons may be made under direction of the court by any person
4 eighteen years of age or older who is not a party to the proceedings
5 or by any law enforcement officer, probation counselor, or department
6 employee. For purposes of this chapter, a dependent child age twelve
7 years or older is a party to the proceedings. A proposed guardian has
8 the right to intervene in proceedings under this chapter.

9 (2) To be designated as a proposed guardian in a petition under
10 this chapter, a person must be age twenty-one or over and must meet
11 the minimum requirements to care for children as established by the
12 department under RCW 74.15.030, including but not limited to licensed
13 foster parents, relatives, and suitable persons.

14 (3) Every petition filed in proceedings under this chapter shall
15 contain: (a) A statement alleging whether the child is or may be an
16 Indian child as defined in 25 U.S.C. Sec. 1903. If the child is an
17 Indian child as defined under the Indian child welfare act, the
18 provisions of that act shall apply; (b) a statement alleging whether
19 the federal servicemembers civil relief act of 2003, 50 U.S.C. Sec.
20 501 et seq. applies to the proceeding; and (c) a statement alleging
21 whether the Washington service members' civil relief act, chapter
22 38.42 RCW, applies to the proceeding.

23 (4) Every order or decree entered in any proceeding under this
24 chapter shall contain: (a) A finding that the Indian child welfare
25 act does or does not apply. Where there is a finding that the Indian
26 child welfare act does apply, the decree or order must also contain a
27 finding that all notice requirements and evidentiary requirements
28 under the Indian child welfare act have been satisfied; (b) a finding
29 that the federal servicemembers civil relief act of 2003 does or does
30 not apply; and (c) a finding that the Washington service members'
31 civil relief act, chapter 38.42 RCW, does or does not apply.

32 **Sec. 3.** RCW 18.19.020 and 2011 c 86 s 1 are each amended to read
33 as follows:

34 The definitions in this section apply throughout this chapter
35 unless the context clearly requires otherwise.

36 (1) "Agency" means (a) an agency or facility operated, licensed,
37 or certified by the state of Washington; (b) a federally recognized
38 Indian tribe located within the state; or (c) a county.

1 (2) "Agency affiliated counselor" means a person registered under
2 this chapter who is engaged in counseling and employed by an agency.
3 "Agency affiliated counselor" includes juvenile probation counselors
4 who are employees of the juvenile court under RCW 13.04.035 and
5 13.04.040 and juvenile court employees providing functional family
6 therapy, aggression replacement training, or other evidence-based
7 programs approved by (~~the juvenile rehabilitation administration~~
8 ~~of~~) the department of (~~social and health services~~) children,
9 youth, and families.

10 (3) "Certified adviser" means a person certified under this
11 chapter who is engaged in private practice counseling to the extent
12 authorized in RCW 18.19.200.

13 (4) "Certified counselor" means a person certified under this
14 chapter who is engaged in private practice counseling to the extent
15 authorized in RCW 18.19.200.

16 (5) "Client" means an individual who receives or participates in
17 counseling or group counseling.

18 (6) "Counseling" means employing any therapeutic techniques,
19 including but not limited to social work, mental health counseling,
20 marriage and family therapy, and hypnotherapy, for a fee that offer,
21 assist or attempt to assist an individual or individuals in the
22 amelioration or adjustment of mental, emotional, or behavioral
23 problems, and includes therapeutic techniques to achieve sensitivity
24 and awareness of self and others and the development of human
25 potential. For the purposes of this chapter, nothing may be construed
26 to imply that the practice of hypnotherapy is necessarily limited to
27 counseling.

28 (7) "Counselor" means an individual, practitioner, therapist, or
29 analyst who engages in the practice of counseling to the public for a
30 fee, including for the purposes of this chapter, hypnotherapists.

31 (8) "Department" means the department of health.

32 (9) "Hypnotherapist" means a person registered under this chapter
33 who is practicing hypnosis as a modality.

34 (10) "Private practice counseling" means the practice of
35 counseling by a certified counselor or certified adviser as specified
36 in RCW 18.19.200.

37 (11) "Psychotherapy" means the practice of counseling using
38 diagnosis of mental disorders according to the fourth edition of the
39 diagnostic and statistical manual of mental disorders, published in
40 1994, and the development of treatment plans for counseling based on

1 diagnosis of mental disorders in accordance with established practice
2 standards.

3 (12) "Secretary" means the secretary of the department or the
4 secretary's designee.

5 **Sec. 4.** RCW 26.26A.260 and 2018 c 6 s 313 are each amended to
6 read as follows:

7 The state registrar of vital statistics may release information
8 relating to an acknowledgment of parentage or denial of parentage to
9 a signatory of the acknowledgment or denial, a court, a federal
10 agency, an agency operating a child welfare program under Title IV-E
11 of the social security act, and a child support agency of this or
12 another state.

13 **Sec. 5.** RCW 26.50.150 and 2017 3rd sp.s. c 6 s 334 are each
14 amended to read as follows:

15 Any program that provides domestic violence treatment to
16 perpetrators of domestic violence must be certified by the department
17 of (~~children, youth, and families~~) social and health services and
18 meet minimum standards for domestic violence treatment purposes. The
19 department of (~~children, youth, and families~~) social and health
20 services shall adopt rules for standards of approval of domestic
21 violence perpetrator programs. The treatment must meet the following
22 minimum qualifications:

23 (1) All treatment must be based upon a full, complete clinical
24 intake including but not limited to: Current and past violence
25 history; a lethality risk assessment; history of treatment from past
26 domestic violence perpetrator treatment programs; a complete
27 diagnostic evaluation; a substance abuse assessment; criminal
28 history; assessment of cultural issues, learning disabilities,
29 literacy, and special language needs; and a treatment plan that
30 adequately and appropriately addresses the treatment needs of the
31 individual.

32 (2) To facilitate communication necessary for periodic safety
33 checks and case monitoring, the program must require the perpetrator
34 to sign the following releases:

35 (a) A release for the program to inform the victim and victim's
36 community and legal advocates that the perpetrator is in treatment
37 with the program, and to provide information, for safety purposes, to
38 the victim and victim's community and legal advocates;

1 (b) A release to prior and current treatment agencies to provide
2 information on the perpetrator to the program; and

3 (c) A release for the program to provide information on the
4 perpetrator to relevant legal entities including: Lawyers, courts,
5 parole, probation, child protective services, and child welfare
6 services.

7 (3) Treatment must be for a minimum treatment period defined by
8 the secretary of the department of (~~children, youth, and families~~)
9 social and health services by rule. The weekly treatment sessions
10 must be in a group unless there is a documented, clinical reason for
11 another modality. Any other therapies, such as individual, marital,
12 or family therapy, substance abuse evaluations or therapy, medication
13 reviews, or psychiatric interviews, may be concomitant with the
14 weekly group treatment sessions described in this section but not a
15 substitute for it.

16 (4) The treatment must focus primarily on ending the violence,
17 holding the perpetrator accountable for his or her violence, and
18 changing his or her behavior. The treatment must be based on
19 nonvictim-blaming strategies and philosophies and shall include
20 education about the individual, family, and cultural dynamics of
21 domestic violence. If the perpetrator or the victim has a minor
22 child, treatment must specifically include education regarding the
23 effects of domestic violence on children, such as the emotional
24 impacts of domestic violence on children and the long-term
25 consequences that exposure to incidents of domestic violence may have
26 on children.

27 (5) Satisfactory completion of treatment must be contingent upon
28 the perpetrator meeting specific criteria, defined by rule by the
29 secretary of the department of (~~children, youth, and families~~)
30 social and health services, and not just upon the end of a certain
31 period of time or a certain number of sessions.

32 (6) The program must have policies and procedures for dealing
33 with reoffenses and noncompliance.

34 (7) All evaluation and treatment services must be provided by, or
35 under the supervision of, qualified personnel.

36 (8) The secretary of the department of (~~children, youth, and
37 families~~) social and health services may adopt rules and establish
38 fees as necessary to implement this section.

39 (9) The department of (~~children, youth, and families~~) social
40 and health services may conduct on-site monitoring visits as part of

1 its plan for certifying domestic violence perpetrator programs and
2 monitoring implementation of the rules adopted by the secretary of
3 the department of (~~children, youth, and families~~) social and health
4 services to determine compliance with the minimum qualifications for
5 domestic violence perpetrator programs. The applicant or certified
6 domestic violence perpetrator program shall cooperate fully with the
7 department of (~~children, youth, and families~~) social and health
8 services in the monitoring visit and provide all program and
9 management records requested by the department of (~~children, youth,~~
10 ~~and families~~) social and health services to determine the program's
11 compliance with the minimum certification qualifications and rules
12 adopted by the department of (~~children, youth, and families~~) social
13 and health services.

14 **Sec. 6.** RCW 41.04.674 and 2017 3rd sp.s. c 20 s 12 are each
15 amended to read as follows:

16 (1) The foster parent shared leave pool is created to allow
17 employees to donate leave to be used as shared leave for any employee
18 who is a foster parent needing to care for or preparing to accept a
19 foster child in their home. Participation in the pool shall, at all
20 times, be voluntary on the part of the employee. The department of
21 (~~social and health services~~) children, youth, and families, in
22 consultation with the office of financial management, shall
23 administer the foster parent shared leave pool.

24 (2) Employees, as defined in RCW 41.04.655, may donate leave to
25 the foster parent shared leave pool.

26 (3) An employee, as defined in RCW 41.04.655, who is also a
27 foster parent licensed pursuant to RCW 74.15.040 may request shared
28 leave from the foster parent shared leave pool.

29 (4) Shared leave under this section may not be granted unless the
30 pool has a sufficient balance to fund the requested shared leave.

31 (5) Shared leave paid under this section must not exceed the
32 level of the employee's state monthly salary.

33 (6) Any leave donated must be removed from the personally
34 accumulated leave balance of the employee donating the leave.

35 (7) An employee who receives shared leave from the pool is not
36 required to recontribute such leave to the pool, except as otherwise
37 provided in this section.

38 (8) Leave that may be donated or received by any one employee
39 shall be calculated as in RCW 41.04.665.

1 (9) As used in this section, "monthly salary" includes monthly
2 salary and special pay and shift differential, or the monthly
3 equivalent for hourly employees. "Monthly salary" does not include:

- 4 (a) Overtime pay;
- 5 (b) Call back pay;
- 6 (c) Standby pay; or
- 7 (d) Performance bonuses.

8 (10) The office of financial management, in consultation with the
9 department of (~~social and health services~~) children, youth, and
10 families, shall adopt rules and policies governing the donation and
11 use of shared leave from the foster parent shared leave pool,
12 including definitions of pay and allowances and guidelines for
13 agencies to use in recordkeeping concerning shared leave.

14 (11) Agencies must investigate any alleged abuse of the foster
15 parent shared leave pool and on a finding of wrongdoing, the employee
16 may be required to repay all of the shared leave received from the
17 foster parent shared leave pool.

18 (12) Higher education institutions shall adopt policies
19 consistent with the needs of the employees under their respective
20 jurisdictions.

21 **Sec. 7.** RCW 41.37.010 and 2018 c 241 s 1 are each amended to
22 read as follows:

23 The definitions in this section apply throughout this chapter,
24 unless the context clearly requires otherwise.

25 (1) "Accumulated contributions" means the sum of all
26 contributions standing to the credit of a member in the member's
27 individual account, including any amount paid under RCW 41.50.165(2),
28 together with the regular interest thereon.

29 (2) "Actuarial equivalent" means a benefit of equal value when
30 computed upon the basis of such mortality and other tables as may be
31 adopted by the director.

32 (3) "Adjustment ratio" means the value of index A divided by
33 index B.

34 (4) "Annuity" means payments for life derived from accumulated
35 contributions of a member. All annuities shall be paid in monthly
36 installments.

37 (5)(a) "Average final compensation" means the member's average
38 compensation earnable of the highest consecutive sixty months of
39 service credit months prior to such member's retirement, termination,

1 or death. Periods constituting authorized leaves of absence may not
2 be used in the calculation of average final compensation except under
3 RCW 41.37.290.

4 (b) In calculating average final compensation under (a) of this
5 subsection, the department of retirement systems shall include:

6 (i) Any compensation forgone by a member employed by a state
7 agency or institution during the 2009-2011 fiscal biennium as a
8 result of reduced work hours, mandatory or voluntary leave without
9 pay, temporary reduction in pay implemented prior to December 11,
10 2010, or temporary layoffs if the reduced compensation is an integral
11 part of the employer's expenditure reduction efforts, as certified by
12 the employer; and

13 (ii) Any compensation forgone by a member employed by the state
14 or a local government employer during the 2011-2013 fiscal biennium
15 as a result of reduced work hours, mandatory leave without pay,
16 temporary layoffs, or reductions to current pay if the reduced
17 compensation is an integral part of the employer's expenditure
18 reduction efforts, as certified by the employer. Reductions to
19 current pay shall not include elimination of previously agreed upon
20 future salary increases.

21 (6) "Beneficiary" means any person in receipt of a retirement
22 allowance or other benefit provided by this chapter resulting from
23 service rendered to an employer by another person.

24 (7)(a) "Compensation earnable" for members, means salaries or
25 wages earned by a member during a payroll period for personal
26 services, including overtime payments, and shall include wages and
27 salaries deferred under provisions established pursuant to sections
28 403(b), 414(h), and 457 of the United States internal revenue code,
29 but shall exclude nonmoney maintenance compensation and lump sum or
30 other payments for deferred annual sick leave, unused accumulated
31 vacation, unused accumulated annual leave, or any form of severance
32 pay.

33 (b) "Compensation earnable" for members also includes the
34 following actual or imputed payments, which are not paid for personal
35 services:

36 (i) Retroactive payments to an individual by an employer on
37 reinstatement of the employee in a position, or payments by an
38 employer to an individual in lieu of reinstatement, which are awarded
39 or granted as the equivalent of the salary or wage which the
40 individual would have earned during a payroll period shall be

1 considered compensation earnable to the extent provided in this
2 subsection, and the individual shall receive the equivalent service
3 credit;

4 (ii) In any year in which a member serves in the legislature, the
5 member shall have the option of having such member's compensation
6 earnable be the greater of:

7 (A) The compensation earnable the member would have received had
8 such member not served in the legislature; or

9 (B) Such member's actual compensation earnable received for
10 nonlegislative public employment and legislative service combined.
11 Any additional contributions to the retirement system required
12 because compensation earnable under (b)(ii)(A) of this subsection is
13 greater than compensation earnable under (b)(ii)(B) of this
14 subsection shall be paid by the member for both member and employer
15 contributions;

16 (iii) Assault pay only as authorized by RCW 27.04.100, 72.01.045,
17 and 72.09.240;

18 (iv) Compensation that a member would have received but for a
19 disability occurring in the line of duty only as authorized by RCW
20 41.37.060;

21 (v) Compensation that a member receives due to participation in
22 the leave sharing program only as authorized by RCW 41.04.650 through
23 41.04.670; and

24 (vi) Compensation that a member receives for being in standby
25 status. For the purposes of this section, a member is in standby
26 status when not being paid for time actually worked and the employer
27 requires the member to be prepared to report immediately for work, if
28 the need arises, although the need may not arise.

29 (8) "Department" means the department of retirement systems
30 created in chapter 41.50 RCW.

31 (9) "Director" means the director of the department.

32 (10) "Eligible position" means any permanent, full-time position
33 included in subsection (19) of this section.

34 (11) "Employee" or "employed" means a person who is providing
35 services for compensation to an employer, unless the person is free
36 from the employer's direction and control over the performance of
37 work. The department shall adopt rules and interpret this subsection
38 consistent with common law.

39 (12) "Employer" means the Washington state department of
40 corrections, the Washington state parks and recreation commission,

1 the Washington state gambling commission, the Washington state
2 patrol, the Washington state department of natural resources, the
3 Washington state liquor and cannabis board, the Washington state
4 department of veterans affairs, the Washington state department of
5 children, youth, and families, and the Washington state department of
6 social and health services; any county corrections department; any
7 city corrections department not covered under chapter 41.28 RCW; and
8 any public corrections entity created under RCW 39.34.030 by
9 counties, cities not covered under chapter 41.28 RCW, or both. Except
10 as otherwise specifically provided in this chapter, "employer" does
11 not include a government contractor. For purposes of this subsection,
12 a "government contractor" is any entity, including a partnership,
13 limited liability company, for-profit or nonprofit corporation, or
14 person, that provides services pursuant to a contract with an
15 employer. The determination whether an employer-employee relationship
16 has been established is not based on the relationship between a
17 government contractor and an employer, but is based solely on the
18 relationship between a government contractor's employee and an
19 employer under this chapter.

20 (13) "Final compensation" means the annual rate of compensation
21 earnable by a member at the time of termination of employment.

22 (14) "Index" means, for any calendar year, that year's annual
23 average consumer price index, Seattle, Washington area, for urban
24 wage earners and clerical workers, all items, compiled by the bureau
25 of labor statistics, United States department of labor.

26 (15) "Index A" means the index for the year prior to the
27 determination of a postretirement adjustment.

28 (16) "Index B" means the index for the year prior to index A.

29 (17) "Ineligible position" means any position which does not
30 conform with the requirements set forth in subsection (10) of this
31 section.

32 (18) "Leave of absence" means the period of time a member is
33 authorized by the employer to be absent from service without being
34 separated from membership.

35 (19) "Member" means any employee employed by an employer on a
36 full-time basis:

37 (a) Who is in a position that requires completion of a certified
38 criminal justice training course and is authorized by their employer
39 to arrest, conduct criminal investigations, enforce the criminal laws
40 of the state of Washington, and carry a firearm as part of the job;

1 (b) Whose primary responsibility is to ensure the custody and
2 security of incarcerated or probationary individuals as a corrections
3 officer, probation officer, or jailer;

4 (c) Who is a limited authority Washington peace officer, as
5 defined in RCW 10.93.020, for an employer;

6 (d) Whose primary responsibility is to provide nursing care to,
7 or to ensure the custody and safety of, offender, adult probationary,
8 or patient populations; and who is in a position that requires
9 completion of defensive tactics training or de-escalation training;
10 and who is employed by one of the following state institutions or
11 centers operated by the department of social and health services or
12 the department of children, youth, and families:

13 (i) Juvenile rehabilitation administration institutions, not
14 including community facilities;

15 (ii) Mental health hospitals;

16 (iii) Child study and treatment centers; or

17 (iv) Institutions or residential sites that serve developmentally
18 disabled patients or offenders, except for state-operated living
19 alternatives facilities;

20 (e) Whose primary responsibility is to provide nursing care to
21 offender and patient populations in institutions and centers operated
22 by the following employers: A city or county corrections department
23 as set forth in subsection (12) of this section, a public corrections
24 entity as set forth in subsection (12) of this section, the
25 Washington state department of corrections, or the Washington state
26 department of veterans affairs; or

27 (f) Whose primary responsibility is to supervise members eligible
28 under this subsection.

29 (20) "Membership service" means all service rendered as a member.

30 (21) "Pension" means payments for life derived from contributions
31 made by the employer. All pensions shall be paid in monthly
32 installments.

33 (22) "Plan" means the Washington public safety employees'
34 retirement system plan 2.

35 (23) "Regular interest" means such rate as the director may
36 determine.

37 (24) "Retiree" means any person who has begun accruing a
38 retirement allowance or other benefit provided by this chapter
39 resulting from service rendered to an employer while a member.

1 (25) "Retirement" means withdrawal from active service with a
2 retirement allowance as provided by this chapter.

3 (26) "Retirement allowance" means monthly payments to a retiree
4 or beneficiary as provided in this chapter.

5 (27) "Retirement system" means the Washington public safety
6 employees' retirement system provided for in this chapter.

7 (28) "Separation from service" occurs when a person has
8 terminated all employment with an employer.

9 (29) "Service" means periods of employment by a member on or
10 after July 1, 2006, for one or more employers for which compensation
11 earnable is paid. Compensation earnable earned for ninety or more
12 hours in any calendar month shall constitute one service credit
13 month. Compensation earnable earned for at least seventy hours but
14 less than ninety hours in any calendar month shall constitute one-
15 half service credit month of service. Compensation earnable earned
16 for less than seventy hours in any calendar month shall constitute
17 one-quarter service credit month of service. Time spent in standby
18 status, whether compensated or not, is not service.

19 Any fraction of a year of service shall be taken into account in
20 the computation of such retirement allowance or benefits.

21 (a) Service in any state elective position shall be deemed to be
22 full-time service.

23 (b) A member shall receive a total of not more than twelve
24 service credit months of service for such calendar year. If an
25 individual is employed in an eligible position by one or more
26 employers the individual shall receive no more than one service
27 credit month during any calendar month in which multiple service for
28 ninety or more hours is rendered.

29 (30) "Service credit month" means a month or an accumulation of
30 months of service credit which is equal to one.

31 (31) "Service credit year" means an accumulation of months of
32 service credit which is equal to one when divided by twelve.

33 (32) "State actuary" or "actuary" means the person appointed
34 pursuant to RCW 44.44.010(2).

35 (33) "State elective position" means any position held by any
36 person elected or appointed to statewide office or elected or
37 appointed as a member of the legislature.

38 (34) "State treasurer" means the treasurer of the state of
39 Washington.

1 **Sec. 8.** RCW 42.56.230 and 2018 c 109 s 16 are each amended to
2 read as follows:

3 The following personal information is exempt from public
4 inspection and copying under this chapter:

5 (1) Personal information in any files maintained for students in
6 public schools, patients or clients of public institutions or public
7 health agencies, or welfare recipients;

8 (2)(a) Personal information:

9 (i) For a child enrolled in licensed child care in any files
10 maintained by the department of children, youth, and families;

11 (ii) For a child enrolled in a public or nonprofit program
12 serving or pertaining to children, adolescents, or students,
13 including but not limited to early learning or child care services,
14 parks and recreation programs, youth development programs, and after-
15 school programs; (~~or~~)

16 (iii) For the family members or guardians of a child who is
17 subject to the exemption under this subsection (2) if the family
18 member or guardian has the same last name as the child or if the
19 family member or guardian resides at the same address as the child
20 and disclosure of the family member's or guardian's information would
21 result in disclosure of the personal information exempted under
22 (a)(i) and (ii) of this subsection; or

23 (iv) For substitute caregivers who are licensed or approved to
24 provide overnight care of children by the department of children,
25 youth, and families.

26 (b) Emergency contact information under this subsection (2) may
27 be provided to appropriate authorities and medical personnel for the
28 purpose of treating the individual during an emergency situation;

29 (3) Personal information in files maintained for employees,
30 appointees, or elected officials of any public agency to the extent
31 that disclosure would violate their right to privacy;

32 (4) Information required of any taxpayer in connection with the
33 assessment or collection of any tax if the disclosure of the
34 information to other persons would: (a) Be prohibited to such persons
35 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance
36 authorized under RCW 35.102.145; or (b) violate the taxpayer's right
37 to privacy or result in unfair competitive disadvantage to the
38 taxpayer;

39 (5) Credit card numbers, debit card numbers, electronic check
40 numbers, card expiration dates, or bank or other financial

1 information as defined in RCW 9.35.005 including social security
2 numbers, except when disclosure is expressly required by or governed
3 by other law;

4 (6) Personal and financial information related to a small loan or
5 any system of authorizing a small loan in RCW 31.45.093;

6 (7)(a) Any record used to prove identity, age, residential
7 address, social security number, or other personal information
8 required to apply for a driver's license or identicard.

9 (b) Information provided under RCW 46.20.111 that indicates that
10 an applicant declined to register with the selective service system.

11 (c) Any record pertaining to a vehicle license plate, driver's
12 license, or identicard issued under RCW 46.08.066 that, alone or in
13 combination with any other records, may reveal the identity of an
14 individual, or reveal that an individual is or was, performing an
15 undercover or covert law enforcement, confidential public health
16 work, public assistance fraud, or child support investigative
17 activity. This exemption does not prevent the release of the total
18 number of vehicle license plates, drivers' licenses, or identicards
19 that, under RCW 46.08.066, an agency or department has applied for,
20 been issued, denied, returned, destroyed, lost, and reported for
21 misuse.

22 (d) Any record pertaining to a vessel registration issued under
23 RCW 88.02.330 that, alone or in combination with any other records,
24 may reveal the identity of an individual, or reveal that an
25 individual is or was, performing an undercover or covert law
26 enforcement activity. This exemption does not prevent the release of
27 the total number of vessel registrations that, under RCW 88.02.330,
28 an agency or department has applied for, been issued, denied,
29 returned, destroyed, lost, and reported for misuse;

30 (8) All information related to individual claims resolution
31 structured settlement agreements submitted to the board of industrial
32 insurance appeals under RCW 51.04.063, other than final orders from
33 the board of industrial insurance appeals.

34 Upon request by the legislature, the department of licensing
35 shall provide a report to the legislature containing all of the
36 information in subsection (7)(c) and (d) of this section that is
37 subject to public disclosure;

38 (9) Voluntarily submitted information contained in a database
39 that is part of or associated with enhanced 911 emergency
40 communications systems, or information contained or used in emergency

1 notification systems as provided under RCW 38.52.575 and 38.52.577;
2 and

3 (10) Until the person reaches eighteen years of age, information,
4 otherwise disclosable under chapter 29A.08 RCW, that relates to a
5 future voter, except for the purpose of processing and delivering
6 ballots.

7 NEW SECTION. **Sec. 9.** RCW 43.20A.870 (Children's services—Annual
8 quality assurance report) and 1999 c 372 s 7 & 1997 c 386 s 47 are
9 each repealed.

10 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.20B
11 RCW to read as follows:

12 The department is authorized to establish and to recover debts
13 for the department of children, youth, and families under this
14 chapter and under RCW 13.40.220 pursuant to a contract between the
15 department of children, youth, and families and the department that
16 is entered into in compliance with the interlocal cooperation act,
17 chapter 39.34 RCW.

18 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.216
19 RCW to read as follows:

20 The department shall prepare an annual quality assurance report
21 that must, at minimum, include: (1) Performance outcomes regarding
22 health and safety of children in the children's services system; (2)
23 children's length of stay in out-of-home placement from each date of
24 referral; (3) adherence to permanency planning timelines; and (4) the
25 response time on child protective services investigations
26 differentiated by risk level determined at intake.

27 **Sec. 12.** RCW 43.43.837 and 2017 3rd sp.s. c 6 s 225 are each
28 amended to read as follows:

29 (1) Except as provided in subsection (2) of this section, in
30 order to determine the character, competence, and suitability of any
31 applicant or service provider to have unsupervised access, the
32 secretary of the department of social and health services and the
33 secretary of the department of children, youth, and families may
34 require a fingerprint-based background check through both the
35 Washington state patrol and the federal bureau of investigation at
36 any time, but shall require a fingerprint-based background check when

1 the applicant or service provider has resided in the state less than
2 three consecutive years before application, and:

3 (a) Is an applicant or service provider providing services to
4 children or people with developmental disabilities under RCW
5 74.15.030;

6 (b) Is an individual (~~residing~~) sixteen years of age or older
7 who: (i) Is not under the placement and care authority of the
8 department of children, youth, and families; and (ii) resides in an
9 applicant or service provider's home, facility, entity, agency, or
10 business or who is authorized by (~~the department of social and~~
11 ~~health services or~~) the department of children, youth, and families
12 to provide services to children (~~or people with developmental~~
13 ~~disabilities~~) under RCW 74.15.030; (~~or~~)

14 (c) Is an individual who is authorized by the department of
15 social and health services to provide services to people with
16 developmental disabilities under RCW 74.15.030; or

17 (d) Is an applicant or service provider providing in-home
18 services funded by:

19 (i) Medicaid personal care under RCW 74.09.520;

20 (ii) Community options program entry system waiver services under
21 RCW 74.39A.030;

22 (iii) Chore services under RCW 74.39A.110; or

23 (iv) Other home and community long-term care programs,
24 established pursuant to chapters 74.39 and 74.39A RCW, administered
25 by the department of social and health services.

26 (2) Long-term care workers, as defined in RCW 74.39A.009, who are
27 hired after January 7, 2012, are subject to background checks under
28 RCW 74.39A.056.

29 (3) To satisfy the shared background check requirements provided
30 for in RCW 43.216.270 and 43.20A.710, the department of children,
31 youth, and families and the department of social and health services
32 shall share federal fingerprint-based background check results as
33 permitted under the law. The purpose of this provision is to allow
34 both departments to fulfill their joint background check
35 responsibility of checking any individual who may have unsupervised
36 access to vulnerable adults, children, or juveniles. Neither
37 department may share the federal background check results with any
38 other state agency or person.

39 (4) The secretary of the department of children, youth, and
40 families shall require a fingerprint-based background check through

1 the Washington state patrol identification and criminal history
2 section and the federal bureau of investigation when the department
3 seeks to approve an applicant or service provider for a foster or
4 adoptive placement of children in accordance with federal and state
5 law. Fees charged by the Washington state patrol and the federal
6 bureau of investigation for fingerprint-based background checks shall
7 be paid by the department of children, youth, and families for
8 applicant and service providers providing foster care as required in
9 RCW 74.15.030.

10 (5) Any secure facility operated by the department of social and
11 health services or the department of children, youth, and families
12 under chapter 71.09 RCW shall require applicants and service
13 providers to undergo a fingerprint-based background check through the
14 Washington state patrol identification and criminal history section
15 and the federal bureau of investigation.

16 (6) Service providers and service provider applicants who are
17 required to complete a fingerprint-based background check may be
18 hired for a one hundred twenty-day provisional period as allowed
19 under law or program rules when:

20 (a) A fingerprint-based background check is pending; and

21 (b) The applicant or service provider is not disqualified based
22 on the immediate result of the background check.

23 (7) Fees charged by the Washington state patrol and the federal
24 bureau of investigation for fingerprint-based background checks shall
25 be paid by the applicable department for applicants or service
26 providers providing:

27 (a) Services to people with a developmental disability under RCW
28 74.15.030;

29 (b) In-home services funded by medicaid personal care under RCW
30 74.09.520;

31 (c) Community options program entry system waiver services under
32 RCW 74.39A.030;

33 (d) Chore services under RCW 74.39A.110;

34 (e) Services under other home and community long-term care
35 programs, established pursuant to chapters 74.39 and 74.39A RCW,
36 administered by the department of social and health services or the
37 department of children, youth, and families; and

38 (f) Services in, or to residents of, a secure facility under RCW
39 71.09.115.

1 (8) Service providers licensed under RCW 74.15.030 must pay fees
2 charged by the Washington state patrol and the federal bureau of
3 investigation for conducting fingerprint-based background checks.

4 (9) Department of children, youth, and families service providers
5 licensed under RCW 74.15.030 may not pass on the cost of the
6 background check fees to their applicants unless the individual is
7 determined to be disqualified due to the background information.

8 (10) The department of social and health services and the
9 department of children, youth, and families shall develop rules
10 identifying the financial responsibility of service providers,
11 applicants, and the department for paying the fees charged by law
12 enforcement to roll, print, or scan fingerprints-based for the
13 purpose of a Washington state patrol or federal bureau of
14 investigation fingerprint-based background check.

15 (11) For purposes of this section, unless the context plainly
16 indicates otherwise:

17 (a) "Applicant" means a current or prospective department of
18 social and health services, department of children, youth, and
19 families, or service provider employee, volunteer, student, intern,
20 researcher, contractor, or any other individual who will or may have
21 unsupervised access because of the nature of the work or services he
22 or she provides. "Applicant" includes but is not limited to any
23 individual who will or may have unsupervised access and is:

24 (i) Applying for a license or certification from the department
25 of social and health services or the department of children, youth,
26 and families;

27 (ii) Seeking a contract with the department of social and health
28 services, the department of children, youth, and families, or a
29 service provider;

30 (iii) Applying for employment, promotion, reallocation, or
31 transfer;

32 (iv) An individual that a department of social and health
33 services or ((the)) department of children, youth, and families
34 client or guardian of a department of social and health services or
35 department of children, youth, and families client chooses to hire or
36 engage to provide services to himself or herself or another
37 vulnerable adult, juvenile, or child and who might be eligible to
38 receive payment from the department of social and health services or
39 the department of children, youth, and families for services
40 rendered; or

1 (v) A department of social and health services or department of
2 children, youth, and families applicant who will or may work in a
3 department-covered position.

4 (b) "Authorized" means the department of social and health
5 services or the department of children, youth, and families grants an
6 applicant, home, or facility permission to:

7 (i) Conduct licensing, certification, or contracting activities;

8 (ii) Have unsupervised access to vulnerable adults, juveniles,
9 and children;

10 (iii) Receive payments from a department of social and health
11 services or department of children, youth, and families program; or

12 (iv) Work or serve in a department of social and health services
13 or department of children, youth, and families-covered position.

14 (c) "Secretary" means the secretary of the department of social
15 and health services.

16 (d) "Secure facility" has the meaning provided in RCW 71.09.020.

17 (e) "Service provider" means entities, facilities, agencies,
18 businesses, or individuals who are licensed, certified, authorized,
19 or regulated by, receive payment from, or have contracts or
20 agreements with the department of social and health services or the
21 department of children, youth, and families to provide services to
22 vulnerable adults, juveniles, or children. "Service provider"
23 includes individuals whom a department of social and health services
24 or department of children, youth, and families client or guardian of
25 a department of social and health services or department of children,
26 youth, and families client may choose to hire or engage to provide
27 services to himself or herself or another vulnerable adult, juvenile,
28 or child and who might be eligible to receive payment from the
29 department of social and health services or the department of
30 children, youth, and families for services rendered. "Service
31 provider" does not include those certified under chapter 70.96A RCW.

32 **Sec. 13.** RCW 43.216.390 and 2011 c 295 s 6 are each amended to
33 read as follows:

34 Upon resignation or termination with or without cause of any
35 individual working in a child care agency, the child care agency
36 shall report to the department within twenty-four hours if it has
37 knowledge of the following with respect to the individual:

38 (1) Any charge or conviction for a crime listed in WAC
39 (~~(170-06-0120)~~) 110-06-0120;

1 (2) Any other charge or conviction for a crime that could be
2 reasonably related to the individual's suitability to provide care
3 for or have unsupervised access to children or care; or

4 (3) Any negative action as defined in RCW ((43.215.010))
5 43.216.010.

6 **Sec. 14.** RCW 68.50.105 and 2013 c 295 s 1 are each amended to
7 read as follows:

8 (1) Reports and records of autopsies or postmortems shall be
9 confidential, except that the following persons may examine and
10 obtain copies of any such report or record: The personal
11 representative of the decedent as defined in RCW 11.02.005, any
12 family member, the attending physician or advanced registered nurse
13 practitioner, the prosecuting attorney or law enforcement agencies
14 having jurisdiction, public health officials, the department of labor
15 and industries in cases in which it has an interest under RCW
16 68.50.103, or the secretary of the department of (~~social and health~~
17 ~~services~~) children, youth, and families or his or her designee in
18 cases being reviewed under RCW 74.13.640.

19 (2)(a) Notwithstanding the restrictions contained in this section
20 regarding the dissemination of records and reports of autopsies or
21 postmortems, nor the exemptions referenced under RCW 42.56.240(1),
22 nothing in this chapter prohibits a coroner, medical examiner, or his
23 or her designee, from publicly discussing his or her findings as to
24 any death subject to the jurisdiction of his or her office where
25 actions of a law enforcement officer or corrections officer have been
26 determined to be a proximate cause of the death, except as provided
27 in (b) of this subsection.

28 (b) A coroner, medical examiner, or his or her designee may not
29 publicly discuss his or her findings outside of formal court or
30 inquest proceedings if there is a pending or active criminal
31 investigation, or a criminal or civil action, concerning a death that
32 has commenced prior to January 1, 2014.

33 (3) The coroner, the medical examiner, or the attending physician
34 shall, upon request, meet with the family of the decedent to discuss
35 the findings of the autopsy or postmortem. For the purposes of this
36 section, the term "family" means the surviving spouse, state
37 registered domestic partner, or any child, parent, grandparent,
38 grandchild, brother, or sister of the decedent, or any person who was
39 guardian of the decedent at the time of death.

1 **Sec. 15.** RCW 74.04.790 and 2006 c 95 s 2 are each amended to
2 read as follows:

3 (1) For purposes of this section only, "assault" means an
4 unauthorized touching of a child protective, child welfare, or adult
5 protective services worker employed by the department of children,
6 youth, and families or the department of social and health services
7 resulting in physical injury to the employee.

8 (2) In recognition of the hazardous nature of employment in child
9 protective, child welfare, and adult protective services, the
10 legislature hereby provides a supplementary program to reimburse
11 employees of the department, for some of their costs attributable to
12 their being the victims of assault while in the course of discharging
13 their assigned duties. This program shall be limited to the
14 reimbursement provided in this section.

15 (3) An employee is only entitled to receive the reimbursement
16 provided in this section if the secretary of children, youth, and
17 families, or the secretary's designee, or the secretary of social and
18 health services, or the secretary's designee, finds that each of the
19 following has occurred:

20 (a) A person has assaulted the employee while the employee was in
21 the course of performing his or her official duties and, as a result
22 thereof, the employee has sustained demonstrated physical injuries
23 which have required the employee to miss days of work;

24 (b) The assault cannot be attributable to any extent to the
25 employee's negligence, misconduct, or failure to comply with any
26 rules or conditions of employment; and

27 (c) The department of labor and industries has approved the
28 employee's workers' compensation application pursuant to chapter
29 51.32 RCW.

30 (4) The reimbursement authorized under this section shall be as
31 follows:

32 (a) The employee's accumulated sick leave days shall not be
33 reduced for the workdays missed;

34 (b) For each workday missed for which the employee is not
35 eligible to receive compensation under chapter 51.32 RCW, the
36 employee shall receive full pay; and

37 (c) In respect to workdays missed for which the employee will
38 receive or has received compensation under chapter 51.32 RCW, the
39 employee shall be reimbursed in an amount which, when added to that

1 compensation, will result in the employee receiving full pay for the
2 workdays missed.

3 (5) Reimbursement under this section may not last longer than
4 three hundred sixty-five consecutive days after the date of the
5 injury.

6 (6) The employee shall not be entitled to the reimbursement
7 provided in subsection (4) of this section for any workday for which
8 the secretary, or the secretary's designee, finds that the employee
9 has not diligently pursued his or her compensation remedies under
10 chapter 51.32 RCW.

11 (7) The reimbursement shall only be made for absences which the
12 secretary, or the secretary's designee, believes are justified.

13 (8) While the employee is receiving reimbursement under this
14 section, he or she shall continue to be classified as a state
15 employee and the reimbursement amount shall be considered as salary
16 or wages.

17 (9) All reimbursement payments required to be made to employees
18 under this section shall be made by the department. The payments
19 shall be considered as a salary or wage expense and shall be paid by
20 the department in the same manner and from the same appropriations as
21 other salary and wage expenses of the department.

22 (10) Should the legislature revoke the reimbursement authorized
23 under this section or repeal this section, no affected employee is
24 entitled thereafter to receive the reimbursement as a matter of
25 contractual right.

26 **Sec. 16.** RCW 74.13.110 and 2017 3rd sp.s. c 20 s 14 are each
27 amended to read as follows:

28 (1) The (~~child welfare system~~) department of children, youth,
29 and families contracted services performance improvement account is
30 created in the state treasury. Moneys in the account may be spent
31 only after appropriation. Moneys in the account may be expended
32 solely (~~for the following: (a) Foster home licensing; (b))~~) to
33 improve contracted services provided to clients under the agency's
34 program areas, including child welfare, early learning, family
35 support, and adolescents, to support (a) achieving permanency for
36 children; ((c) support and assistance provided to foster parents in
37 order to improve)) (b) improving foster home retention and stability
38 of placements; ((d)) (c) improving and increasing placement options
39 for youth in out-of-home care; ((and (e)) (d) preventing out-of-home

1 placement; and (e) achieving additional, measurable department of
2 children, youth, and families outcome goals adopted by the
3 department.

4 (2) Revenues to the ~~((child welfare system))~~ department of
5 children, youth, and families contracted services performance
6 improvement account consist of: (a) Legislative appropriations; and
7 (b) any other public or private funds appropriated to or deposited in
8 the account.

9 **Sec. 17.** RCW 74.13.350 and 2011 c 309 s 34 are each amended to
10 read as follows:

11 (1) It is the intent of the legislature that parents are
12 responsible for the care and support of children with developmental
13 disabilities. The legislature recognizes that, because of the intense
14 support required to care for a child with developmental disabilities,
15 the help of an out-of-home placement may be needed. It is the intent
16 of the legislature that, when the sole reason for the out-of-home
17 placement is the child's developmental disability, such services be
18 offered by the department to these children and their families
19 through a voluntary placement agreement. In these cases, the parents
20 shall retain legal custody of the child.

21 ~~((As used in this section, "voluntary placement agreement" means~~
22 ~~a written agreement between the department and a child's parent or~~
23 ~~legal guardian authorizing the department to place the child in a~~
24 ~~licensed facility.))~~ (2) Under the terms of ~~((this))~~ a voluntary
25 placement agreement, the parent or legal guardian shall retain legal
26 custody and the department shall be responsible for the child's
27 placement and care. The agreement shall at a minimum specify the
28 legal status of the child and the rights and obligations of the
29 parent or legal guardian, the child, and the department while the
30 child is in placement. The agreement must be signed by the child's
31 parent or legal guardian and the department to be in effect, except
32 that an agreement regarding an Indian child shall not be valid unless
33 executed in accordance with RCW 13.38.150. Any party to a voluntary
34 placement agreement may terminate the agreement at any time. Upon
35 termination of the agreement, the child shall be returned to the care
36 of the child's parent or legal guardian unless the child has been
37 taken into custody pursuant to RCW 13.34.050 or 26.44.050, placed in
38 shelter care pursuant to RCW 13.34.060, or placed in foster care
39 pursuant to RCW 13.34.130.

1 (~~As used in this section, "out-of-home placement" and "out-of-~~
2 ~~home care" mean the placement of a child in a foster family home or~~
3 ~~group care facility licensed under chapter 74.15 RCW.~~)

4 (3) Whenever the department places a child in out-of-home care
5 under a voluntary placement pursuant to this section, the department
6 shall have the responsibility for the child's placement and care. The
7 department shall develop a permanency plan of care for the child no
8 later than sixty days from the date that the department assumes
9 responsibility for the child's placement and care. Within the first
10 one hundred eighty days of the placement, the department shall obtain
11 a judicial determination pursuant to RCW 13.04.030(1)(j) and
12 13.34.270 that the placement is in the best interests of the child.
13 If the child's out-of-home placement ends before one hundred eighty
14 days have elapsed, no judicial determination under RCW
15 13.04.030(1)(b) is required. The permanency planning hearings shall
16 review whether the child's best interests are served by continued
17 out-of-home placement and determine the future legal status of the
18 child.

19 (4) The department shall provide for periodic administrative
20 reviews as required by federal law. A review may be called at any
21 time by either the department, the parent, or the legal guardian.

22 (5) Nothing in this section shall prevent the department of
23 children, youth, and families from filing a dependency petition if
24 there is reason to believe that the child is a dependent child as
25 defined in RCW 13.34.030.

26 (6) The department shall adopt rules providing for the
27 implementation of chapter 386, Laws of 1997 and the transfer of
28 responsibility for out-of-home placements from the dependency process
29 under chapter 13.34 RCW to the process under this chapter.

30 (7) It is the intent of the legislature that the department
31 undertake voluntary out-of-home placement in cases where the child's
32 developmental disability is such that the parent, guardian, or legal
33 custodian is unable to provide the necessary care for the child, and
34 the parent, guardian, or legal custodian has determined that the
35 child would benefit from placement outside of the home. If the
36 department does not accept a voluntary placement agreement signed by
37 the parent, a petition may be filed and an action pursued under
38 chapter 13.34 RCW. The department shall inform the parent, guardian,
39 or legal custodian in writing of their right to civil action under
40 chapter 13.34 RCW.

1 (8) Nothing in this section prohibits the department of children,
2 youth, and families from seeking support from parents of a child,
3 including a child with a developmental disability if the child has
4 been placed into care as a result of an action under chapter 13.34
5 RCW, when state or federal funds are expended for the care and
6 maintenance of that child or when the department receives an
7 application for services from the physical custodian of the child,
8 unless the department of children, youth, and families finds that
9 there is good cause not to pursue collection of child support against
10 the parent or parents.

11 (9) For the purposes of this section:

12 (a) Unless the context clearly requires otherwise, "department"
13 means the department of social and health services.

14 (b) "Out-of-home placement" and "out-of-home care" mean the
15 placement of a child in a foster family home or group care facility
16 licensed under chapter 74.15 RCW.

17 (c) "Voluntary placement agreement" means a written agreement
18 between the department of social and health services and a child's
19 parent or legal guardian authorizing the department to place the
20 child in a licensed facility.

21 NEW SECTION. Sec. 18. A new section is added to chapter 74.14B
22 RCW to read as follows:

23 The definitions in this section apply throughout this chapter
24 unless the context clearly requires otherwise.

25 (1) "Department" means the department of children, youth, and
26 families.

27 (2) "Secretary" means the secretary of the department of
28 children, youth, and families.

29 NEW SECTION. Sec. 19. RCW 74.14C.070 (Appropriations—Transfer
30 of funds from foster care services to family preservation services—
31 Annual report) and 2017 3rd sp.s. c 6 s 512, 2003 c 207 s 3, 1995 c
32 311 s 11, 1994 c 288 s 3, & 1992 c 214 s 9 are each repealed.

33 **Sec. 20.** RCW 74.15.030 and 2017 3rd sp.s. c 6 s 409 are each
34 amended to read as follows:

35 The secretary shall have the power and it shall be the
36 secretary's duty:

1 (1) In consultation with the children's services advisory
2 committee, and with the advice and assistance of persons
3 representative of the various type agencies to be licensed, to
4 designate categories of facilities for which separate or different
5 requirements shall be developed as may be appropriate whether because
6 of variations in the ages, sex and other characteristics of persons
7 served, variations in the purposes and services offered or size or
8 structure of the agencies to be licensed hereunder, or because of any
9 other factor relevant thereto;

10 (2) In consultation with the children's services advisory
11 committee, and with the advice and assistance of persons
12 representative of the various type agencies to be licensed, to adopt
13 and publish minimum requirements for licensing applicable to each of
14 the various categories of agencies to be licensed.

15 The minimum requirements shall be limited to:

16 (a) The size and suitability of a facility and the plan of
17 operation for carrying out the purpose for which an applicant seeks a
18 license;

19 (b) Obtaining background information and any out-of-state
20 equivalent, to determine whether the applicant or service provider is
21 disqualified and to determine the character, competence, and
22 suitability of an agency, the agency's employees, volunteers, and
23 other persons associated with an agency;

24 (c) Conducting background checks for those who will or may have
25 unsupervised access to children or expectant mothers; however, a
26 background check is not required if a caregiver approves an activity
27 pursuant to the prudent parent standard contained in RCW 74.13.710;

28 (d) Obtaining child protective services information or records
29 maintained in the department case management information system. No
30 unfounded allegation of child abuse or neglect as defined in RCW
31 26.44.020 may be disclosed to a child-placing agency, private
32 adoption agency, or any other provider licensed under this chapter;

33 (e) Submitting a fingerprint-based background check through the
34 Washington state patrol under chapter 10.97 RCW and through the
35 federal bureau of investigation for:

36 (i) Agencies and their staff, volunteers, students, and interns
37 when the agency is seeking license or relicense;

38 (ii) Foster care and adoption placements; and

39 (iii) Any adult living in a home where a child may be placed;

1 (f) If any adult living in the home has not resided in the state
2 of Washington for the preceding five years, the department shall
3 review any child abuse and neglect registries maintained by any state
4 where the adult has resided over the preceding five years;

5 (g) The cost of fingerprint background check fees will be paid as
6 required in RCW 43.43.837;

7 (h) National and state background information must be used solely
8 for the purpose of determining eligibility for a license and for
9 determining the character, suitability, and competence of those
10 persons or agencies, excluding parents, not required to be licensed
11 who are authorized to care for children or expectant mothers;

12 (i) The number of qualified persons required to render the type
13 of care and treatment for which an agency seeks a license;

14 (j) The safety, cleanliness, and general adequacy of the premises
15 to provide for the comfort, care and well-being of children or
16 expectant mothers;

17 (k) The provision of necessary care, including food, clothing,
18 supervision and discipline; physical, mental and social well-being;
19 and educational, recreational and spiritual opportunities for those
20 served;

21 (l) The financial ability of an agency to comply with minimum
22 requirements established pursuant to this chapter and RCW 74.13.031;
23 and

24 (m) The maintenance of records pertaining to the admission,
25 progress, health and discharge of persons served;

26 (3) To investigate any person, including relatives by blood or
27 marriage except for parents, for character, suitability, and
28 competence in the care and treatment of children or expectant mothers
29 prior to authorizing that person to care for children or expectant
30 mothers. However, if a child is placed with a relative under RCW
31 13.34.065 or 13.34.130, and if such relative appears otherwise
32 suitable and competent to provide care and treatment the criminal
33 history background check required by this section need not be
34 completed before placement, but shall be completed as soon as
35 possible after placement;

36 (4) On reports of alleged child abuse and neglect, to investigate
37 agencies in accordance with chapter 26.44 RCW, including agencies or
38 facilities operated by the department of social and health services
39 that receive children for care outside their own homes, child day-
40 care centers, and family day-care homes, to determine whether the

1 alleged abuse or neglect has occurred, and whether child protective
2 services or referral to a law enforcement agency is appropriate;

3 (5) To issue, revoke, or deny licenses to agencies pursuant to
4 this chapter and RCW 74.13.031. Licenses shall specify the category
5 of care which an agency is authorized to render and the ages, sex and
6 number of persons to be served;

7 (6) To prescribe the procedures and the form and contents of
8 reports necessary for the administration of this chapter and RCW
9 74.13.031 and to require regular reports from each licensee;

10 (7) To inspect agencies periodically to determine whether or not
11 there is compliance with this chapter and RCW 74.13.031 and the
12 requirements adopted hereunder;

13 (8) To review requirements adopted hereunder at least every two
14 years and to adopt appropriate changes after consultation with
15 affected groups for child day-care requirements and with the
16 children's services advisory committee for requirements for other
17 agencies; and

18 (9) To consult with public and private agencies in order to help
19 them improve their methods and facilities for the care of children or
20 expectant mothers.

21 **Sec. 21.** RCW 13.50.100 and 2017 3rd sp.s. c 6 s 313 are each
22 amended to read as follows:

23 (1) This section governs records not covered by RCW 13.50.050,
24 13.50.260, and 13.50.270.

25 (2) Records covered by this section shall be confidential and
26 shall be released only pursuant to this section and RCW 13.50.010.

27 (3) Records retained or produced by any juvenile justice or care
28 agency may be released to other participants in the juvenile justice
29 or care system only when an investigation or case involving the
30 juvenile in question is being pursued by the other participant or
31 when that other participant is assigned the responsibility of
32 supervising the juvenile. Records covered under this section and
33 maintained by the juvenile courts which relate to the official
34 actions of the agency may be entered in the statewide judicial
35 information system. However, truancy records associated with a
36 juvenile who has no other case history, and records of a juvenile's
37 parents who have no other case history, shall be removed from the
38 judicial information system when the juvenile is no longer subject to
39 the compulsory attendance laws in chapter 28A.225 RCW. A county clerk

1 is not liable for unauthorized release of this data by persons or
2 agencies not in his or her employ or otherwise subject to his or her
3 control, nor is the county clerk liable for inaccurate or incomplete
4 information collected from litigants or other persons required to
5 provide identifying data pursuant to this section.

6 (4) Subject to (a) of this subsection, the department of
7 children, youth, and families may release information retained in the
8 course of conducting child protective services investigations to a
9 family or juvenile court hearing a petition for custody under chapter
10 26.10 RCW.

11 (a) Information that may be released shall be limited to
12 information regarding investigations in which: (i) The juvenile was
13 an alleged victim of abandonment or abuse or neglect; or (ii) the
14 petitioner for custody of the juvenile, or any individual aged
15 sixteen or older residing in the petitioner's household, is the
16 subject of a founded or currently pending child protective services
17 investigation made by the department of social and health services or
18 the department of children, youth, and families subsequent to October
19 1, 1998.

20 (b) Additional information may only be released with the written
21 consent of the subject of the investigation and the juvenile alleged
22 to be the victim of abandonment or abuse and neglect, or the parent,
23 custodian, guardian, or personal representative of the juvenile, or
24 by court order obtained with notice to all interested parties.

25 (5) Any disclosure of records or information by the department of
26 social and health services or the department of children, youth, and
27 families, pursuant to this section shall not be deemed a waiver of
28 any confidentiality or privilege attached to the records or
29 information by operation of any state or federal statute or
30 regulation, and any recipient of such records or information shall
31 maintain it in such a manner as to comply with such state and federal
32 statutes and regulations and to protect against unauthorized
33 disclosure.

34 (6) A contracting agency or service provider of the department of
35 social and health services or the department of children, youth, and
36 families, that provides counseling, psychological, psychiatric, or
37 medical services may release to the office of the family and
38 children's ombuds information or records relating to services
39 provided to a juvenile who is dependent under chapter 13.34 RCW
40 without the consent of the parent or guardian of the juvenile, or of

1 the juvenile if the juvenile is under the age of thirteen years,
2 unless such release is otherwise specifically prohibited by law.

3 (7) A juvenile, his or her parents, the juvenile's attorney, and
4 the juvenile's parent's attorney, shall, upon request, be given
5 access to all records and information collected or retained by a
6 juvenile justice or care agency which pertain to the juvenile except:

7 (a) If it is determined by the agency that release of this
8 information is likely to cause severe psychological or physical harm
9 to the juvenile or his or her parents the agency may withhold the
10 information subject to other order of the court: PROVIDED, That if
11 the court determines that limited release of the information is
12 appropriate, the court may specify terms and conditions for the
13 release of the information; or

14 (b) If the information or record has been obtained by a juvenile
15 justice or care agency in connection with the provision of
16 counseling, psychological, psychiatric, or medical services to the
17 juvenile, when the services have been sought voluntarily by the
18 juvenile, and the juvenile has a legal right to receive those
19 services without the consent of any person or agency, then the
20 information or record may not be disclosed to the juvenile's parents
21 without the informed consent of the juvenile unless otherwise
22 authorized by law; or

23 (c) That the department of children, youth, and families or the
24 department of social and health services may delete the name and
25 identifying information regarding persons or organizations who have
26 reported alleged child abuse or neglect.

27 (8) A juvenile or his or her parent denied access to any records
28 following an agency determination under subsection (7) of this
29 section may file a motion in juvenile court requesting access to the
30 records. The court shall grant the motion unless it finds access may
31 not be permitted according to the standards found in subsection
32 (7)(a) and (b) of this section.

33 (9) The person making a motion under subsection (8) of this
34 section shall give reasonable notice of the motion to all parties to
35 the original action and to any agency whose records will be affected
36 by the motion.

37 (10) Subject to the rules of discovery in civil cases, any party
38 to a proceeding seeking a declaration of dependency or a termination
39 of the parent-child relationship and any party's counsel and the
40 guardian ad litem of any party, shall have access to the records of

1 any natural or adoptive child of the parent, subject to the
2 limitations in subsection (7) of this section. A party denied access
3 to records may request judicial review of the denial. If the party
4 prevails, he or she shall be awarded attorneys' fees, costs, and an
5 amount not less than five dollars and not more than one hundred
6 dollars for each day the records were wrongfully denied.

7 (11) No unfounded allegation of child abuse or neglect as defined
8 in RCW 26.44.020(1) may be disclosed to a child-placing agency,
9 private adoption agency, or any other licensed provider.

10 **Sec. 22.** RCW 13.50.010 and 2018 c 58 s 78 are each amended to
11 read as follows:

12 (1) For purposes of this chapter:

13 (a) "Good faith effort to pay" means a juvenile offender has
14 either (i) paid the principal amount in full; (ii) made at least
15 eighty percent of the value of full monthly payments within the
16 period from disposition or deferred disposition until the time the
17 amount of restitution owed is under review; or (iii) can show good
18 cause why he or she paid an amount less than eighty percent of the
19 value of full monthly payments;

20 (b) "Juvenile justice or care agency" means any of the following:
21 Police, diversion units, court, prosecuting attorney, defense
22 attorney, detention center, attorney general, the oversight board for
23 children, youth, and families, the office of the family and
24 children's ombuds, the department of social and health services and
25 its contracting agencies, the department of children, youth, and
26 families and its contracting agencies, schools; persons or public or
27 private agencies having children committed to their custody; and any
28 placement oversight committee created under RCW 72.05.415;

29 (c) "Official juvenile court file" means the legal file of the
30 juvenile court containing the petition or information, motions,
31 memorandums, briefs, notices of hearing or appearance, service
32 documents, witness and exhibit lists, findings of the court and court
33 orders, agreements, judgments, decrees, notices of appeal, as well as
34 documents prepared by the clerk, including court minutes, letters,
35 warrants, waivers, affidavits, declarations, invoices, and the index
36 to clerk papers;

37 (d) "Records" means the official juvenile court file, the social
38 file, and records of any other juvenile justice or care agency in the
39 case;

1 (e) "Social file" means the juvenile court file containing the
2 records and reports of the probation counselor.

3 (2) Each petition or information filed with the court may include
4 only one juvenile and each petition or information shall be filed
5 under a separate docket number. The social file shall be filed
6 separately from the official juvenile court file.

7 (3) It is the duty of any juvenile justice or care agency to
8 maintain accurate records. To this end:

9 (a) The agency may never knowingly record inaccurate information.
10 Any information in records maintained by the department of social and
11 health services or the department of children, youth, and families
12 relating to a petition filed pursuant to chapter 13.34 RCW that is
13 found by the court to be false or inaccurate shall be corrected or
14 expunged from such records by the agency;

15 (b) An agency shall take reasonable steps to assure the security
16 of its records and prevent tampering with them; and

17 (c) An agency shall make reasonable efforts to insure the
18 completeness of its records, including action taken by other agencies
19 with respect to matters in its files.

20 (4) Each juvenile justice or care agency shall implement
21 procedures consistent with the provisions of this chapter to
22 facilitate inquiries concerning records.

23 (5) Any person who has reasonable cause to believe information
24 concerning that person is included in the records of a juvenile
25 justice or care agency and who has been denied access to those
26 records by the agency may make a motion to the court for an order
27 authorizing that person to inspect the juvenile justice or care
28 agency record concerning that person. The court shall grant the
29 motion to examine records unless it finds that in the interests of
30 justice or in the best interests of the juvenile the records or parts
31 of them should remain confidential.

32 (6) A juvenile, or his or her parents, or any person who has
33 reasonable cause to believe information concerning that person is
34 included in the records of a juvenile justice or care agency may make
35 a motion to the court challenging the accuracy of any information
36 concerning the moving party in the record or challenging the
37 continued possession of the record by the agency. If the court grants
38 the motion, it shall order the record or information to be corrected
39 or destroyed.

1 (7) The person making a motion under subsection (5) or (6) of
2 this section shall give reasonable notice of the motion to all
3 parties to the original action and to any agency whose records will
4 be affected by the motion.

5 (8) The court may permit inspection of records by, or release of
6 information to, any clinic, hospital, or agency which has the subject
7 person under care or treatment. The court may also permit inspection
8 by or release to individuals or agencies, including juvenile justice
9 advisory committees of county law and justice councils, engaged in
10 legitimate research for educational, scientific, or public purposes.
11 Each person granted permission to inspect juvenile justice or care
12 agency records for research purposes shall present a notarized
13 statement to the court stating that the names of juveniles and
14 parents will remain confidential.

15 (9) The court shall release to the caseload forecast council the
16 records needed for its research and data-gathering functions. Access
17 to caseload forecast data may be permitted by the council for
18 research purposes only if the anonymity of all persons mentioned in
19 the records or information will be preserved.

20 (10) Juvenile detention facilities shall release records to the
21 caseload forecast council upon request. The commission shall not
22 disclose the names of any juveniles or parents mentioned in the
23 records without the named individual's written permission.

24 (11) Requirements in this chapter relating to the court's
25 authority to compel disclosure shall not apply to the oversight board
26 for children, youth, and families or the office of the family and
27 children's ombuds.

28 (12) For the purpose of research only, the administrative office
29 of the courts shall maintain an electronic research copy of all
30 records in the judicial information system related to juveniles.
31 Access to the research copy is restricted to the administrative
32 office of the courts for research purposes as authorized by the
33 supreme court or by state statute. The administrative office of the
34 courts shall maintain the confidentiality of all confidential records
35 and shall preserve the anonymity of all persons identified in the
36 research copy. Data contained in the research copy may be shared with
37 other governmental agencies as authorized by state statute, pursuant
38 to data-sharing and research agreements, and consistent with
39 applicable security and confidentiality requirements. The research
40 copy may not be subject to any records retention schedule and must

1 include records destroyed or removed from the judicial information
2 system pursuant to RCW 13.50.270 and 13.50.100(3).

3 (13) The court shall release to the Washington state office of
4 public defense records needed to implement the agency's oversight,
5 technical assistance, and other functions as required by RCW
6 2.70.020. Access to the records used as a basis for oversight,
7 technical assistance, or other agency functions is restricted to the
8 Washington state office of public defense. The Washington state
9 office of public defense shall maintain the confidentiality of all
10 confidential information included in the records.

11 (14) The court shall release to the Washington state office of
12 civil legal aid records needed to implement the agency's oversight,
13 technical assistance, and other functions as required by RCW
14 2.53.045. Access to the records used as a basis for oversight,
15 technical assistance, or other agency functions is restricted to the
16 Washington state office of civil legal aid. The Washington state
17 office of civil legal aid shall maintain the confidentiality of all
18 confidential information included in the records, and shall, as soon
19 as possible, destroy any retained notes or records obtained under
20 this section that are not necessary for its functions related to RCW
21 2.53.045.

22 (15) For purposes of providing for the educational success of
23 youth in foster care, the department of children, youth, and families
24 may disclose only those confidential child welfare records that
25 pertain to or may assist with meeting the educational needs of
26 current and former foster youth to another state agency or state
27 agency's contracted provider responsible under state law or contract
28 for assisting current and former foster youth to attain educational
29 success. The records retain their confidentiality pursuant to this
30 chapter and federal law and cannot be further disclosed except as
31 allowed under this chapter and federal law.

32 (16) For the purpose of ensuring the safety and welfare of the
33 youth who are in foster care, the department of children, youth, and
34 families may disclose to the department of commerce and its
35 contracted providers responsible under state law or contract for
36 providing services to youth, only those confidential child welfare
37 records that pertain to ensuring the safety and welfare of the youth
38 who are in foster care who are admitted to crisis residential centers
39 or HOPE centers under contract with the office of homeless youth
40 prevention and protection. Records disclosed under this subsection

1 retain their confidentiality pursuant to this chapter and federal law
2 and may not be further disclosed except as permitted by this chapter
3 and federal law.

4 (17) For purposes of investigating and preventing child abuse and
5 neglect, and providing for the health care coordination and the well-
6 being of children in foster care, the department of children, youth,
7 and families may disclose only those confidential child welfare
8 records that pertain to or may assist with investigation and
9 prevention of child abuse and neglect, or may assist with providing
10 for the health and well-being of children in foster care to the
11 department of social and health services, the health care authority,
12 or their contracting agencies. For purposes of investigating and
13 preventing child abuse and neglect, and to provide for the
14 coordination of health care and the well-being of children in foster
15 care, the department of social and health services and the health
16 care authority may disclose only those confidential child welfare
17 records that pertain to or may assist with investigation and
18 prevention of child abuse and neglect, or may assist with providing
19 for the health care coordination and the well-being of children in
20 foster care to the department of children, youth, and families, or
21 its contracting agencies. The records retain their confidentiality
22 pursuant to this chapter and federal law and cannot be further
23 disclosed except as allowed under this chapter and federal law.

24 **Sec. 23.** RCW 28B.117.030 and 2018 c 232 s 4 are each amended to
25 read as follows:

26 (1) The office shall design and, to the extent funds are
27 appropriated for this purpose, implement, passport to careers with
28 two programmatic pathways: The passport to college promise program
29 and the passport to apprenticeship opportunities program. Both
30 programs offer supplemental scholarship and student assistance for
31 students who were under the care of the state foster care system,
32 tribal foster care system, or federal foster care system, and
33 verified unaccompanied youth or young adults who have experienced
34 homelessness.

35 (2) The office shall convene and consult with an advisory
36 committee to assist with program design and implementation. The
37 committee shall include but not be limited to former foster care and
38 unaccompanied homeless youth and their advocates; representatives
39 from the state board for community and technical colleges, public and

1 private agencies that assist current and former foster care
2 recipients and unaccompanied youth or young adults experiencing
3 homelessness in their transition to adulthood; student support
4 specialists from public and private colleges and universities; the
5 state workforce training and education coordinating board; the
6 employment security department; and the state apprenticeship council.

7 (3) To the extent that sufficient funds have been appropriated
8 for this purpose, a student is eligible for assistance under this
9 section if he or she:

10 (a)(i) Was in the care of the state foster care system, tribal
11 foster care system, or federal foster care system in Washington state
12 at any time before age twenty-one subsequent to the following:

13 (A) Age fifteen as of July 1, 2018;

14 (B) Age fourteen as of July 1, 2019; and

15 (C) Age thirteen as of July 1, 2020; or

16 (ii) Beginning July 1, 2019, was verified on or after July 1st of
17 the prior academic year as an unaccompanied youth experiencing
18 homelessness, before age twenty-one;

19 (b) Is a resident student, as defined in RCW 28B.15.012(2), or if
20 unable to establish residency because of homelessness or placement in
21 out-of-state foster care under the interstate compact for the
22 placement of children, has residency determined through verification
23 by the office;

24 (c) Is enrolled with or will enroll on at least a half-time basis
25 with an institution of higher education or a registered
26 apprenticeship or recognized preapprenticeship in Washington state by
27 the age of twenty-one;

28 (d) Is making satisfactory academic progress toward the
29 completion of a degree, certificate program, or registered
30 apprenticeship or recognized preapprenticeship, if receiving
31 supplemental scholarship assistance;

32 (e) Has not earned a bachelor's or professional degree; and

33 (f) Is not pursuing a degree in theology.

34 (4) The office shall define a process for verifying unaccompanied
35 homeless status for determining eligibility under subsection
36 (3)(a)(ii) of this section. The office may use a letter from the
37 following persons or entities to provide verification: A high school
38 or school district McKinney-Vento liaison; the director or designated
39 staff member of an emergency shelter, transitional housing program,
40 or homeless youth drop-in center; or other similar professional case

1 manager or school employee. Students who have no formal connection
2 with such a professional may also submit to the office an essay that
3 describes their experience with homelessness and the barriers it
4 created to their academic progress. The office may consider this
5 essay in lieu of a letter of homelessness determination and may
6 interview the student if further information is needed to verify
7 eligibility.

8 (5) A passport to college promise program is created.

9 (a) A passport to college promise scholarship under this section:

10 (i) Shall not exceed resident undergraduate tuition and fees at
11 the highest-priced public institution of higher education in the
12 state; and

13 (ii) Shall not exceed the student's financial need, when combined
14 with all other public and private grant, scholarship, and waiver
15 assistance the student receives.

16 (b) An eligible student may receive a passport to college promise
17 scholarship under this section for a maximum of five years after the
18 student first enrolls with an institution of higher education or
19 until the student turns age twenty-six, whichever occurs first. If a
20 student turns age twenty-six during an academic year, and would
21 otherwise be eligible for a scholarship under this section, the
22 student shall continue to be eligible for a scholarship for the
23 remainder of the academic year.

24 (c) The office, in consultation with and with assistance from the
25 state board for community and technical colleges, shall perform an
26 annual analysis to verify that those institutions of higher education
27 at which students have received a scholarship under this section have
28 awarded the student all available need-based and merit-based grant
29 and scholarship aid for which the student qualifies.

30 (d) In designing and implementing the passport to college promise
31 student support program under this section, the office, in
32 consultation with and with assistance from the state board for
33 community and technical colleges, shall ensure that a participating
34 college or university:

35 (i) Has a viable plan for identifying students eligible for
36 assistance under this section, for tracking and enhancing their
37 academic progress, for addressing their unique needs for assistance
38 during school vacations and academic interims, and for linking them
39 to appropriate sources of assistance in their transition to
40 adulthood;

1 (ii) Receives financial and other incentives for achieving
2 measurable progress in the recruitment, retention, and graduation of
3 eligible students.

4 (e) To the extent funds are appropriated for this specific
5 purpose, the office shall contract with at least one nongovernmental
6 entity to provide services to support effective program
7 implementation, resulting in increased postsecondary completion rates
8 for passport scholars.

9 (6) The passport to apprenticeship opportunities program is
10 created. The office shall:

11 (a) Identify students and applicants who are eligible for
12 services under RCW 28B.117.030 through coordination of certain
13 agencies as detailed in RCW 28B.117.040;

14 (b) Provide financial assistance through the nongovernmental
15 entity or entities in RCW 28B.117.055 for registered apprenticeship
16 and recognized preapprenticeship entrance requirements and
17 occupational-specific costs that does not exceed the individual's
18 financial need; and

19 (c) Extend financial assistance to any eligible applicant for a
20 maximum of six years after first enrolling with a registered
21 apprenticeship or recognized preapprenticeship, or until the
22 applicant turns twenty-six, whichever occurs first.

23 (7) Recipients may utilize passport to college promise or
24 passport to apprenticeship opportunities at different times, but not
25 concurrently. The total award an individual may receive in any
26 combination of the programs shall not exceed the equivalent amount
27 that would have been awarded for the individual to attend a public
28 university for five years with the highest annual tuition and state-
29 mandated fees in the state.

30 (8) Personally identifiable information shared pursuant to this
31 section retains its confidentiality and may not be further disclosed
32 except as allowed under state and federal law.

33 **Sec. 24.** RCW 28B.117.040 and 2018 c 232 s 5 are each amended to
34 read as follows:

35 Effective operation of the passport to careers program requires
36 early and accurate identification of former foster care youth and
37 unaccompanied youth experiencing homelessness so that they can be
38 linked to the financial and other assistance that will help them

1 succeed in college or in a registered apprenticeship or recognized
2 preapprenticeship. To that end:

3 (1) All institutions of higher education that receive funding for
4 student support services under RCW 28B.117.030 shall include on their
5 applications for admission or on their registration materials a
6 question asking whether the applicant has been in state, tribal, or
7 federal foster care in Washington state or experienced unaccompanied
8 homelessness under the parameters in (~~subsection (3)(a) of this~~
9 ~~section~~) RCW 28B.117.030(3)(a), as determined by the office, with an
10 explanation that financial and support services may be available. All
11 other institutions of higher education are strongly encouraged to
12 include such a question and explanation. No institution may consider
13 whether an applicant may be eligible for a scholarship or student
14 support services under this chapter when deciding whether the
15 applicant will be granted admission.

16 (2) With substantial input from the office of the superintendent
17 of public instruction, the department of social and health services
18 and the department of children, youth, and families shall devise and
19 implement procedures for efficiently, promptly, and accurately
20 identifying students and applicants who are eligible for services
21 under RCW 28B.117.030, and for sharing that information with the
22 office, the institutions of higher education, and the nongovernmental
23 entity or entities identified in RCW 28B.77.250, 28B.117.030(5)(e),
24 and 28B.117.055. The procedures shall include appropriate safeguards
25 for consent by the applicant or student before disclosure. This
26 information retains its confidentiality under chapter 13.50 RCW and
27 federal law and may not be further disclosed except as allowed under
28 state and federal law.

29 (3) Nothing in this chapter allows the sharing of confidential
30 information that is prohibited by state or federal law.

31 **Sec. 25.** RCW 26.26A.410 and 2018 c 6 s 503 are each amended to
32 read as follows:

33 (1) The petitioner shall give notice of a proceeding to
34 adjudicate parentage to the following individuals:

35 (a) The woman who gave birth to the child, unless a court has
36 adjudicated that she is not a parent;

37 (b) An individual who is a parent of the child under this
38 chapter;

1 (c) A presumed, acknowledged, or adjudicated parent of the child;
2 and

3 (d) An individual whose parentage of the child is to be
4 adjudicated.

5 (2) An individual entitled to notice under subsection (1) of this
6 section has a right to intervene in the proceeding.

7 (3) Lack of notice required by subsection (1) of this section
8 does not render a judgment void. Lack of notice does not preclude an
9 individual entitled to notice under subsection (1) of this section
10 from bringing a proceeding under RCW 26.26A.450(2).

11 (4) In cases where the child is dependent or alleged to be
12 dependent under chapter 13.34 RCW, the petitioner shall give notice
13 to the state agency administering the plan under Title IV-E of the
14 social security act.

15 NEW SECTION. Sec. 26. A new section is added to chapter 43.216
16 RCW to read as follows:

17 (1) The legislature encourages the child welfare division of the
18 department to incorporate reflective supervision principles and
19 recognizes that the cumulative stress of child welfare work, workload
20 for caseworkers and supervisors, organizational support levels,
21 access to resources, insufficient training, limited direct service
22 time, lack of clear expectations, limited access to technology, and
23 burdensome paperwork contribute to high turnover. Child welfare
24 workers who experience secondary, work-related trauma should be given
25 the necessary support to process intense emotional events and the
26 tools to build resiliency.

27 (2) The department shall provide a report on the department's
28 current efforts to improve workplace culture to the relevant
29 committees of the legislature in compliance with RCW 43.01.036 by
30 December 1, 2019. The report must include results and activities
31 related to the department's organizational change management
32 initiatives, efforts related to the federal program improvement plan,
33 and the department's existing peer support program.

34 (3) The department and any external entity responsible for
35 providing child welfare worker training shall provide a report on
36 current child welfare worker training to the relevant committees of
37 the legislature in compliance with RCW 43.01.036 by September 1,
38 2019, that includes:

1 (a) A review of the effectiveness of the current course
2 curriculum for supervisors;

3 (b) An evaluation of the preparedness of new child welfare
4 workers;

5 (c) An inventory of the trauma-informed trainings for child
6 welfare workers and supervisors;

7 (d) An inventory of the reflective supervision principles
8 embedded within trainings for child welfare workers and supervisors;
9 and

10 (e) An inventory of the department's efforts to systemize peer
11 support for child welfare workers and supervisors.

12 (4) The department shall provide a training improvement plan to
13 the relevant committees of the legislature in compliance with RCW
14 43.01.036 by January 1, 2020, based on the report required under
15 subsection (3) of this section that describes the recommended
16 frequency of trainings and other recommended improvements to child
17 welfare worker training.

18 (5) For purposes of this section, "child welfare worker" means an
19 employee of the department whose job includes supporting or providing
20 child welfare services as defined in RCW 74.13.020 or child
21 protective services as defined in RCW 26.44.020.

22 (6) This section expires July 1, 2021.

23 **Sec. 27.** RCW 74.14B.010 and 2018 c 58 s 79 are each amended to
24 read as follows:

25 (1) (~~Caseworkers employed in children services~~) Child welfare
26 workers shall meet minimum standards established by the department.
27 Comprehensive training for (~~caseworkers~~) child welfare workers
28 shall be completed before such (~~caseworkers~~) child welfare workers
29 are assigned to case-carrying responsibilities (~~without direct~~
30 ~~supervision~~) as the sole worker assigned to a particular case.
31 Intermittent, part-time, and standby child welfare workers shall be
32 subject to the same minimum standards and training.

33 (2) Ongoing specialized training shall be provided for
34 (~~persons~~) child welfare workers responsible for investigating child
35 sexual abuse. Training participants shall have the opportunity to
36 practice interview skills and receive feedback from instructors.

37 (3) The department, the criminal justice training commission, the
38 Washington association of sheriffs and police chiefs, and the
39 Washington association of prosecuting attorneys shall design and

1 implement statewide training that contains consistent elements for
2 persons engaged in the interviewing of children, including law
3 enforcement, prosecution, and child protective services.

4 (4) The training required by this section shall: (a) Be based on
5 research-based practices and standards; (b) minimize the trauma of
6 all persons who are interviewed during abuse investigations; (c)
7 provide methods of reducing the number of investigative interviews
8 necessary whenever possible; (d) assure, to the extent possible, that
9 investigative interviews are thorough, objective, and complete; (e)
10 recognize needs of special populations, such as persons with
11 developmental disabilities; (f) recognize the nature and consequences
12 of victimization; (g) require investigative interviews to be
13 conducted in a manner most likely to permit the interviewed persons
14 the maximum emotional comfort under the circumstances; (h) address
15 record retention and retrieval; ~~((and))~~ (i) address documentation of
16 investigative interviews; and (j) include self-care for child welfare
17 workers.

18 (5) The identification of domestic violence is critical in
19 ensuring the safety of children in the child welfare system. ~~((As a~~
20 ~~result))~~ It is also critical for child welfare workers to support
21 victims of domestic violence while victims continue to care for their
22 children, when possible, as domestic violence perpetrated against
23 someone other than the child does not constitute negligent treatment
24 or maltreatment in and of itself as provided in RCW 26.44.020. For
25 these reasons, ongoing domestic violence training and consultation
26 shall be provided to ~~((caseworkers))~~ child welfare workers, including
27 how to use the department's practice guide to domestic violence.

28 (6) By January 1, 2021, the department shall:

29 (a) Develop and implement an evidence-informed curriculum for
30 supervisors providing support to child welfare workers to better
31 prepare candidates for effective supervisory and leadership roles
32 within the department;

33 (b) Develop specialized training for child welfare workers that
34 includes simulation and coaching designed to improve clinical and
35 analytical skills;

36 (c) Based on the report required under section 26(3) of this act,
37 develop and implement training for child welfare workers that
38 incorporates trauma-informed care and reflective supervision
39 principles.

1 (7) For purposes of this section, "child welfare worker" means an
2 employee of the department whose job includes supporting or providing
3 child welfare services as defined in RCW 74.13.020 or child
4 protective services as defined in RCW 26.44.020.

5 NEW SECTION. Sec. 28. A new section is added to chapter 43.216
6 RCW to read as follows:

7 (1) The department shall provide child welfare workers and those
8 supervising child welfare workers with access to:

9 (a) A critical incident protocol that establishes a process for
10 appropriately responding to traumatic or high stress incidents in a
11 manner that provides employees with proper mental health and stress
12 management support, guidance, and education; and

13 (b) Peer counseling from someone trained in providing peer
14 counseling and support.

15 (2) The department shall systematically collect workforce data
16 regarding child welfare workers including staff turnover, workload
17 distribution, exit interviews, and regular staff surveys to assess
18 organizational culture and psychological safety.

19 (3) The department shall make a concerted effort to increase
20 efficiency through the reduction of paperwork.

21 (4) The department shall develop a scientifically based method
22 for measuring the direct service time of child welfare workers and
23 contracted resources.

24 (5) The department shall convene a technical work group to
25 develop a workload model including standardized ratios for
26 supervisors, clerical, and other child welfare worker support staff
27 and child welfare worker caseload ratios by case type.

28 (a) The technical work group must include:

29 (i) Two child welfare worker representatives, one from west of
30 the crest of the Cascade mountain range, and one from east of the
31 crest of the Cascade mountain range;

32 (ii) Fiscal staff from the department;

33 (iii) Human resources staff from the department; and

34 (iv) A representative from the office of financial management.

35 (b) The department shall provide a report to the relevant
36 committees of the legislature in compliance with RCW 43.01.036 by
37 December 1, 2019, that includes a description of the workload model
38 recommended by the technical work group and the steps the department
39 is taking to implement this model.

1 (c) The technical work group established in this section shall
2 continue to meet and provide an annual report to the relevant
3 committees of the legislature in compliance with RCW 43.01.036 by
4 December 1st of each year regarding any recommended modifications to
5 the workload model and steps the department is taking to implement
6 those changes.

7 (6) The definitions in this subsection apply throughout this
8 section unless the context clearly requires otherwise.

9 (a) "Child welfare worker" means an employee of the department
10 whose job includes supporting or providing child welfare services as
11 defined in RCW 74.13.020 including those providing family assessment
12 response services as defined in RCW 26.44.020 or child protective
13 services as defined in RCW 26.44.020.

14 (b) "Critical incident" means an incident that is unusual and
15 involves a perceived or actual threat of harm to an individual which
16 includes but is not limited to child fatalities or near fatalities.

17 **Sec. 29.** RCW 74.13.270 and 2017 3rd sp.s. c 20 s 1 are each
18 amended to read as follows:

19 (1) The legislature recognizes the need for temporary short-term
20 relief for foster parents who care for children with emotional,
21 mental, or physical (~~handicaps~~) disabilities. For purposes of this
22 section, respite care means appropriate, temporary, short-term care
23 for these foster children placed with licensed foster parents. The
24 purpose of this care is to give the foster parents temporary relief
25 from the stresses associated with the care of these foster children.
26 The department shall design a program of respite care that will
27 minimize disruptions to the child and will serve foster parents
28 within these priorities, based on input from foster parents, foster
29 parent associations, and reliable research if available.

30 (2)(a) For the purposes of this section, and subject to funding
31 appropriated specifically for this purpose, short-term support shall
32 include case aides who provide temporary assistance to foster parents
33 as needed with the overall goal of supporting the parental efforts of
34 the foster parents except that this assistance shall not include
35 overnight assistance. The department shall contract with nonprofit
36 community-based organizations in each region to establish a statewide
37 pool of individuals to provide the support described in this
38 subsection. These individuals shall be (~~hired by~~) employees or
39 volunteers with the nonprofit community-based organization and shall

1 have the appropriate training, background checks, and qualifications
2 as determined by the department. Short-term support as described in
3 this subsection shall be available to all licensed foster parents in
4 the state as funding is available and shall be phased in by
5 geographic region. To obtain the assistance of a case aide for this
6 purpose, the foster parent may request the services from the
7 nonprofit community-based organization and the nonprofit community-
8 based organization may offer assistance to licensed foster families.
9 If the requests for the short-term support provided in this
10 subsection exceed the funding available, the nonprofit community-
11 based organization shall have discretion to determine the assignment
12 of case aides. The nonprofit community-based organization shall
13 report all short-term support provided under this subsection to the
14 department.

15 (b) Subject to funding appropriated specifically for this
16 purpose, the Washington state institute for public policy shall
17 prepare an outcome evaluation of the short-term support described in
18 this subsection. The evaluation will, to the maximum extent possible,
19 assess the impact of the short-term support services described in
20 this subsection on the retention of foster homes and the number of
21 placements a foster child receives while in out-of-home care as well
22 as the return on investment to the state. The institute shall submit
23 a preliminary report to the appropriate committees of the legislature
24 and the governor by December 1, 2018, that describes the initial
25 implementation of these services and descriptive statistics of the
26 families utilizing these services. A final report shall be submitted
27 to the appropriate committees of the legislature by June 30, ((2020))
28 2021. At no cost to the institute, the department shall provide all
29 data necessary to discharge this duty.

30 (c) Costs associated with case aides as described in this
31 subsection shall not be included in the forecast.

32 (d) Pursuant to RCW 41.06.142(3), performance-based contracting
33 under (a) of this subsection is expressly mandated by the legislature
34 and is not subject to the processes set forth in RCW 41.06.142 (1),
35 (4), and (5)."

36 Correct the title.

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