

# HOUSE BILL REPORT

## SHB 1605

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### As Passed Legislature

**Title:** An act relating to requiring traumatic brain injury screenings for children entering the foster care system.

**Brief Description:** Requiring traumatic brain injury screenings for children entering the foster care system.

**Sponsors:** House Committee on Human Services & Early Learning (originally sponsored by Representatives Dent, Peterson, Griffey, Caldier, Goodman, Volz, Stanford, Lovick, Reeves, Klippert, Frame, Schmick, Harris, Appleton, Kretz, DeBolt, Cody, Macri, Orwall, Shea, Blake, Kloba, Doglio, Ortiz-Self, Eslick, Jinkins, Van Werven, Fey, Ormsby, Callan, Bergquist, Tarleton and Leavitt).

#### **Brief History:**

##### **Committee Activity:**

Human Services & Early Learning: 2/12/19, 2/15/19 [DPS].

##### **Floor Activity:**

Passed House: 3/5/19, 98-0.

Passed Senate: 4/12/19, 45-0.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Requires that the Department of Children, Youth, and Families (DCYF) evaluate traumatic brain injury screening tools, options for including those tools in existing screens for children in out-of-home care, and treatment actions following identification of traumatic brain injury.
- Requires the DCYF to provide a report on this evaluation to the Legislature by December 1, 2019.

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### HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Dent, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; McCaslin,

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Assistant Ranking Minority Member; Corry, Goodman, Griffey, Kilduff, Klippert, Lovick and Ortiz-Self.

**Staff:** Luke Wickham (786-7146).

**Background:**

*Child Welfare.*

If an individual suspects that a child has been abused or neglected, that abuse or neglect can be reported to the Department of Children, Youth, and Families (DCYF) Child Protective Services (CPS) office or to law enforcement. There are many individuals who are required by law to report suspected abuse or neglect.

The CPS will then determine whether the report of child abuse or neglect is credible and whether the report meets the sufficiency screening criteria. If the report meets the screening criteria, CPS will assign either: (1) a 24-hour response that includes an investigation; or (2) a family assessment response for low- to moderate-risk allegations that requires a 72-hour response.

The DCYF, or anyone else, can file a court petition alleging that the child should be a dependent of the state due to abuse, neglect, or because no parent, guardian, or custodian is capable of adequately caring for the child. A court will hold a shelter care hearing following removal of a child from his or her home within 72 hours. At this hearing, the court will determine if the child can return home safely.

*Out-of-Home Care.*

When children are removed from the home of a parent or guardian due to allegations of abuse or neglect, those children may be placed with relatives or in foster care. Relatives care for almost half of the children placed in out-of-home care and are required to meet certain safety requirements but are not required to be licensed. Foster parents may pursue licensure by either the DCYF or private child-placing agencies and provide temporary care to children with the goal of reunifying the child with his or her parent or guardian.

*Child Health and Education Tracking.*

A Child Health and Education Tracking (CHET) screening is conducted by a DCYF screener within 30 days of a child's placement in out-of-home care. This evaluation includes:

- meeting with each child in person to complete the screen if possible;
- assessing each child in the developmentally appropriate domain according to a CHET handbook;
- obtaining information from sources such as parents, caregivers, and teachers; and
- documenting the long-term, well-being needs of the child.

Following a CHET screen, the screener must make referrals to:

- the Early Support for Infants and Toddlers program if a developmental delay is identified for children younger than age 3; and
- Apple Health Core Connections.

The screener must also provide the CHET screening report to caregivers and the assigned social worker within five days of completing the screen.

*Traumatic Brain Injury.*

The Centers for Disease Control and Prevention (CDC) defines a traumatic brain injury (TBI) as a disruption in the normal function of the brain that can be caused by a bump, blow, or jolt to the head, or penetrating head injury. According to the CDC, everyone is at risk for a TBI, especially children and older adults.

**Summary of Substitute Bill:**

The DCYF, in consultation with the health plan contracted to provide health care coverage to foster youth, must evaluate:

- TBI screening tools that could be used with children entering out-of-home care;
- options to include TBI screening tools in existing screens or regular health care appointments for children in out-of-home care; and
- the treatment actions based on health care, behavioral health care, and trauma-related best practices for youth for whom a potential TBI is identified using a screening tool.

The DCYF shall provide a report based on the evaluation to the Legislature by December 1, 2019.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) Children enter foster care and have been injured in ways that no one else is aware of. Foster youth sometimes exhibit symptoms of traumatic injury, and it is appropriate for these youth to have screenings so that steps can be taken earlier to address that injury. A TBI is like many other injuries; if caught early, it can be treated. This TBI screening would be added on to a screening that already occurs for foster youth and should not have a huge fiscal impact. Foster youth often exhibit fatigue and other traditional symptoms of TBI. These youth are often mislabeled as developmentally disabled, hearing impaired, or other labels, when they really have experienced TBI. This would require the use of a seven-question screening tool, not a diagnosis. The TBI injury can be detected as early as birth. Traumatic brain injury screening tools are currently used in youth sports.

(Opposed) None.

**Persons Testifying:** Representative Dent, prime sponsor; Mike Hoover; and Daniella Clark.

**Persons Signed In To Testify But Not Testifying:** None.