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## Human Services & Early Learning Committee

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### SSB 5955

**Brief Description:** Making necessary changes allowing the department of children, youth, and families to effectively manage a statewide system of care for children, youth, and families.

**Sponsors:** Senate Committee on Human Services, Reentry & Rehabilitation (originally sponsored by Senators Lovelett, Zeiger, Darneille, Walsh, Randall, Nguyen and Wilson, C.; by request of Department of Children, Youth and Families).

#### Brief Summary of Substitute Bill

- Implements technical corrections and changes related to the establishment of the Department of Children, Youth, and Families (DCYF) and duties of the DCYF.
- Exempts personal information of substitute caregivers licensed or approved to provide overnight care of children by the DCYF from public records requirements.
- Renames and modifies allowed expenditures for the Child Welfare System Improvement Account.

**Hearing Date:** 3/22/19

**Staff:** Dawn Eychaner (786-7135).

#### Background:

The Department of Children, Youth, and Families (DCYF) was created in 2017 with the stated intent of improving delivery of services and outcomes for children and families by housing early learning, child welfare, and juvenile justice services in the same agency. The administrative head of the DCYF is a Secretary who is appointed by the Governor. On July 1, 2018, the former Department of Early Learning was eliminated, and the functions performed by that agency were transferred to the DCYF. Also on July 1, 2018, child welfare duties and functions of the Department of Social and Health Services (DSHS) were transferred to the DCYF. On July 1,

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2019, the juvenile justice functions of the juvenile rehabilitation division of the DSHS will move from the DSHS to the DCYF.

The Oversight Board for the DCYF is authorized to monitor and ensure the DCYF achieves its stated outcomes and complies with relevant statutes, administrative acts, rules, and policies.

The Passport to Careers Program is administered by the Washington Student Achievement Council (WSAC) to provide students who have been in foster care or who have been homeless with college scholarships, support services, and apprenticeship programs. The DCYF is responsible for developing and implementing procedures for identifying eligible students and for sharing information, with the consent of the applicant or the student, with the WSAC and other specified entities.

### **Summary of Bill:**

Personal information of substitute caregivers who are licensed or approved to provide overnight care of children by the DCYF is exempted from public records requirements.

A fingerprint-based background check through the Washington State Patrol and the Federal Bureau of Investigation is required for individuals who are 16 years or older residing in the home of an applicant or service provider who may have unsupervised access to children in care.

The Child Welfare System Improvement Account in the State Treasury is renamed as the DCYF Contracted Services Improvement Account. The uses of account funds are changed to remove allowed expenditures for foster home licensing, support, and assistance to foster parents and add allowed expenditures to improve contracted services provided to clients under the DCYF program areas, including child welfare, early learning, family support, and adolescents in order to achieve certain outcomes. Outcomes are changed to include additional, measurable DCYF outcome goals adopted by the DCYF.

The bill makes technical corrections and changes related to the establishment of the DCYF and duties of the DCYF, including changes to:

- update a reference in the definition of "guardianship" with respect to permanency planning for a dependent child to refer to the chapter of law related to child dependencies rather than referring to the chapter of law related to guardianships for incapacitated persons;
- replace a reference to the DCYF with the DSHS with respect to the placement of a child with a developmental disability in out-of-home care;
- add that service of notice and summons for a dependency proceeding can be made by any person 18 years or older who is not a party to the proceedings, or by any law enforcement officer, probation counselor, or DCYF employee;
- replace references to the Juvenile Rehabilitation Administration of the DSHS with the DCYF with respect to definitions of "agency affiliated counselor" when describing juvenile court employees providing approved therapy and training;
- allow the release of information by the State Registrar of vital statistics related to acknowledgement or denial of parentage to an agency operating a child welfare program under Title IV-E of the Social Security Act;

- replace a reference to the DCYF with the DSHS with respect to certification of programs providing treatment to perpetrators of domestic violence;
- replace a reference to the DSHS with the DCYF with respect to administration of the foster parent shared leave pool;
- add the DCYF as an employer for the purpose of membership in the Public Safety Employees Retirement System;
- repeal a requirement for an annual quality assurance report by the DSHS describing performance outcomes for children's services, children's length of stay in out-of-home placement, adherence to permanency planning timelines, and child protective services response times and establish the same report requirement for the DCYF;
- authorize the DSHS to establish and recover debts for the DCYF;
- update the reference to the Washington Administrative Code and related statute for the Secretary of the DCYF's list of disqualifying crimes related to the resignation or termination of a person working in a child care agency;
- replace the Secretary of the DSHS with the Secretary of the DCYF as authorized to receive records related to autopsies or postmortems for the purposes of child fatality reviews;
- add employees of the DCYF as eligible for the supplementary program to reimburse employees who have been assaulted in the discharge of assigned duties;
- define "department" as the DCYF with respect to voluntary out of home placements for children with developmental disabilities;
- add definitions of the "department" and "Secretary" to refer to the DCYF in the chapter of law related to children's services;
- repeal the authority of the DCYF Secretary to transfer funds appropriated for foster care services to purchase preservation services and other preventive services for children at imminent risk of out-of-home placement and the associated reporting requirement for the DCYF when exercising such a transfer;
- add to the DCYF Secretary's duties related to investigating agencies for reports of alleged child abuse and neglect to include agencies operated by the DSHS that receive children for care outside of their own homes;
- allow both the DSHS and the DCYF to delete identifying information regarding persons or organizations who report alleged child abuse and neglect from records released to the child, his or her family, or his or her attorneys; and
- allow the DCYF to share the confidential child welfare records of current and former foster youth with another state agency or agency's contracted provider when those records pertain to meeting the educational needs of the youth. The personally identifiable information shared retains its confidentiality and may not be further disclosed except as allowed under state and federal law.

**Appropriation:** None.

**Fiscal Note:** Requested on March 12, 2019.

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