

HOUSE BILL REPORT

SSB 5955

As Reported by House Committee On: Human Services & Early Learning

Title: An act relating to making necessary changes allowing the department of children, youth, and families to effectively manage a statewide system of care for children, youth, and families.

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 History:

Committee Activity:

Human Services & Early Learning: 3/22/19, 3/26/19 [DPA].

Brief Summary of Substitute Bill (As Amended by Committee)

- Implements technical corrections and changes related to the establishment of the Department of Children, Youth, and Families (DCYF) and duties of the DCYF.
- Requires the DCYF to report to the Legislature on workplace culture, a training improvement plan, and a workload model for standardized staff ratios.
- Requires the DCYF to provide self-care training for child welfare workers and incorporate trauma-informed care and reflective supervision in training.

HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

Majority Report: Do pass as amended. Signed by 12 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Dent, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Corry, Goodman, Kilduff, Klippert, Lovick and Ortiz-Self.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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

Child welfare is defined as a continuum of services that keep children safe and provide support for families in caring for their children. There are various social workers working for the DCYF who carry out child welfare-related responsibilities, including those who work for Child Protective Services (CPS), Family Assessment Response (FAR), and Child and Family Welfare Services. The official job classification for these DCYF employees is social service specialist. Child welfare workers who assist families must have a bachelor's or master's degree. These DCYF employees must submit to a background check and complete core training requirements after being hired. The initial core training for child welfare workers spans eight weeks and includes learning in the classroom and in the field. The Alliance for Child Welfare Excellence, a collaboration between the University of Washington, the University of Washington Tacoma, and Eastern Washington University, provides this core training and ongoing training for child welfare workers.

If an individual suspects that a child has been abused or neglected, that abuse or neglect can be reported to a CPS office or to law enforcement. There are many individuals who are identified in statute as mandated reporters of abuse or neglect. The CPS office will then determine whether the report of child abuse or neglect is credible and whether the report meets the sufficiency screening criteria.

Reports of low- to moderately low-risk allegations of child abuse or neglect, where there is no indication of immediate danger, will receive a CPS FAR. These reports require a 72-hour face-to-face contact with the child victim. The FAR is an alternative to the traditional CPS investigation. The FAR services are voluntary, and no findings of abuse or neglect are made. The FAR cases must be closed within 45 calendar days from the date the intake was received unless the parent or caregiver receiving services consents to the case remaining open for up to 120 calendar days.

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 Amended 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.

When the parentage of a dependent or alleged dependent child is being adjudicated, the petitioner must notify the DCYF.

The DCYF and any external entity providing training to child welfare workers must provide a report on the current child welfare worker training to the Legislature by September 1, 2019. Following this report, the DCYF must provide a training improvement plan to the Legislature by January 1, 2020. Child welfare worker training must include self-care for child welfare workers. Child welfare workers must support victims of domestic violence while those victims continue to care for their children, when possible.

The DCYF must:

- provide a report on efforts to improve workplace culture to the Legislature by December 1, 2019;
- implement an evidence-informed curriculum for supervisors, develop specialized training for child welfare workers, and incorporate trauma-informed care and reflective supervision in training;
- convene a technical work group to develop a workload model including standardized ratios for supervisors, clerical, and other child welfare worker support staff, and child welfare caseload ratios by case type and provide a report on this model by December 1, 2019;
- provide a critical incident protocol and peer counseling for child welfare workers;
- make a concerted effort to increase efficiency through reducing paperwork; and
- develop a scientifically based method for measuring direct service time of child welfare workers and contracted resources.

Technical corrections and changes related to the establishment of the DCYF and duties of the DCYF are made, including to:

- 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 CPS 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;

- 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; and
- require a petitioner to notify the DCYF when the parentage of a dependent or alleged dependent child is being adjudicated.

Amended Bill Compared to Substitute Bill:

The striking amendment:

- removes changes to the definition of "guardianship" with respect to permanency planning for a dependent child;
- requires a petitioner to notify the DCYF when the parentage of a dependent or alleged dependent child is being adjudicated;
- requires the DCYF to report to the Legislature by December 1, 2019, on efforts to improve workplace culture;
- requires the DCYF and any external entity providing training to child welfare workers to report on the training to the Legislature by September 1, 2019, and requires the DCYF to report on a training improvement plan by January 1, 2020;
- requires child welfare workers to support victims of domestic violence while those victims continue to care for their children, when possible;
- requires the DCYF to implement an evidence-informed curriculum for supervisors; develop and implement specialized training for child welfare workers; incorporate trauma-informed care, self-care, and reflective supervision in training; make a concerted effort to increase efficiency through reducing paperwork; and provide a critical incident protocol and peer counseling for child welfare workers;
- directs the DCYF to establish a technical work group to develop a workload model for child welfare workers and affiliated staff and report on the model by December 1, 2019. The work group must consist of two child welfare worker representatives, fiscal staff of the DCYF, human resources staff of the DCYF, and a representative from the Office of Financial Management. The work group must report annually to the Legislature on any recommended modifications to the workload model and steps the DCYF is taking to implement changes; and
- adds definitions.

Appropriation: None.

Fiscal Note: Requested on March 28, 2019.

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

Staff Summary of Public Testimony:

(In support) This is agency-request legislation. The bill protects children's information and ensures better interagency cooperation.

(Opposed) None.

Persons Testifying: Senator Lovelett, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.