

# SENATE BILL REPORT

## HB 1561

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As Passed Senate - Amended, April 10, 2019

**Title:** An act relating to ensuring participation on the oversight board for children, youth, and families by current or former foster youth, individuals with current or previous experience in the juvenile justice system, a physician with experience working with children or youth, and individuals residing east of the Cascade mountain range.

**Brief Description:** Ensuring participation on the oversight board for children, youth, and families by current or former foster youth, individuals with current or previous experience in the juvenile justice system, a physician with experience working with children or youth, and individuals residing east of the Cascade mountain range.

**Sponsors:** Representatives Dent, Senn, Appleton, Doglio, Tharinger, Slatter, Ormsby, Frame and Leavitt.

**Brief History:** Passed House: 3/04/19, 96-0.

**Committee Activity:** Human Services, Reentry & Rehabilitation: 3/14/19, 3/28/19 [DPA].

**Floor Activity:**

Passed Senate - Amended: 4/10/19, 47-0.

### Brief Summary of Bill (As Amended by Senate)

- Adds three members to the Oversight Board for the Department of Children, Youth, and Families.
- Requires at least five members of the Oversight Board to reside in Eastern Washington.
- Board members, other than appointed legislators, are reimbursed for travel expenses incurred while conducting Board business within resources allocated for this purpose.

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### SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

**Majority Report:** Do pass as amended.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

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*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:** Alison Mendiola (786-7488)

**Background:** In 2017, the Oversight Board for the Department of Children, Youth and Families (DCYF) was created with the purpose of monitoring and ensuring that DCYF achieves the stated Legislative outcomes and complies with administrative acts, relevant statutes, rules and policies pertaining to early learning, juvenile rehabilitation, juvenile justice, and children and family services.

Powers of the Oversight Board. The Oversight Board has the following powers:

- receiving reports for the Office of Family and Children's Ombuds (OFCO);
- obtaining records from the OFCO;
- selecting its officers and adopting rules;
- requesting investigations by the OFCO;
- requesting and receiving information from DCYF;
- determining whether DCYF meets its performance measures;
- conducting an annual review of a sampling of provider contracts to ensure they are performance-based;
- conducting periodic surveys of providers, customers, parent groups, and external services; and
- issuing an annual report.

The Oversight Board has the authority to review decisions made by the internal review process for reviewing child care facility licensing compliance agreements developed by DCYF that do not involve violations of health and safety standards nor overturn, change, or uphold those decisions.

The Oversight Board is required to issue an annual report to the Governor and Legislature by December 1st of each year, with an initial report delivered by December 1, 2019. The report must review DCYF's progress towards meeting stated performance measures and desired performance outcomes, and must also include a review of DCYF's strategic plan, policies, and rules.

Board Membership. The Senate members of the board are appointed by the leaders of the two major caucuses of the Senate. The House of Representative members of the board are appointed by the leaders of the two major caucuses of the House of Representatives. The remaining board members are nominated by the Governor, subject to the approval of the appointed legislators by majority vote, and serve four-year terms. The Oversight Board is comprised of members with the following expertise or affiliations:

- one child welfare caseworker;
- one child welfare subject matter expert;
- one early learning subject matter expert;
- one Eastern Washington tribal representative;
- one Western Washington tribal representative;
- one foster parent representative;
- one judicial representative over child welfare proceedings or other children's matters;
- one juvenile rehabilitation and justice subject matter expert;
- one law enforcement representative;
- four legislators, two from the House of Representatives and two from the Senate;

- one parent stakeholder;
- one from an organization representing the best interest of the child;
- one expert in reducing disparities in child outcomes by income, race, and ethnicity; and
- one non-voting Governor's Office representative.

Oversight Board members are not compensated for their service on the Board but are reimbursed for travel expenses incurred while attending meetings of the Board when authorized by the Board and subject to state law regarding travel reimbursement.

**Summary of Amended Bill:** The membership of the Oversight Board is expanded to include:

- one current or former foster youth under age twenty-five;
- one individual under age twenty-five with current or previous experience with the juvenile justice system; and
- one physician with experience working with children or youth.

When nominating and approving members of the Oversight Board, the Governor and appointed legislators must ensure at least five of the Oversight Board members reside east of the Cascade Mountain range.

Technical changes are made.

Oversight Board members, other than appointed legislators, are reimbursed for travel expenses incurred while conducting Board business, within resources allocated for this purpose.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: This bill will add three members to the Oversight Board and ensure there is more equal geographic distribution of board members. It is important to have representation from both the eastern and western parts of the state. Adding youth with lived experience will add an impactful voice to the board given that the youth have experienced the child welfare system and can understand its challenges.

**Persons Testifying:** PRO: Representative Tom Dent, Prime Sponsor; Johnathan Hemphill, The Mockingbird Society.

**Persons Signed In To Testify But Not Testifying:** No one.