

FINAL BILL REPORT

SSB 5955

C 470 L 19
Synopsis as Enacted

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).

Senate Committee on Human Services, Reentry & Rehabilitation House Committee on Human Services & Early Learning

Background: The Department of Children, Youth, and Families. The Legislature created the Department of Children, Youth, and Families (DCYF) in 2017. The stated intent of creating the agency is to improve the delivery of services and the outcomes for children and families by housing early learning, child welfare, and juvenile justice services in the same agency. DCYF must establish outcome measurement goals and report to the Legislature on their progress annually. The outcome measures include:

- improving child development and school readiness;
- preventing child abuse and neglect;
- improving child and youth safety, permanency, and well-being;
- improving reconciliation of children and youth with their families;
- improving adolescent outcomes;
- reducing future demand for mental health and substance use disorder treatment;
- reducing criminal justice involvement and recidivism; and
- reducing racial and ethnic disproportionality and disparities.

DCYF must lead ongoing work to minimize or eliminate systemic barriers to effective, integrated services across state agencies serving children, youth, and families, while helping the state create a data-focused environment in which there are aligned outcomes and shared accountability. Performance data for DCYF has been available to the public since December 30, 2018. No funds may be expended by DCYF on renewed or new contracted programs unless using performance-based contracts. DCYF must annually report outcome measures, actions taken, progress toward goals, and plans for the future year.

On July 1, 2018, the Department of Early Learning was eliminated, and its functions were assumed by DCYF. On July 1, 2018, the child welfare functions of the Department of Social

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and Health Services (DSHS) moved to DCYF. On July 1, 2019, the juvenile justice functions of the DSHS Juvenile Rehabilitation (JR) division will be transferred to DCYF.

Child Welfare. Child welfare is defined as a continuum of services that keep children safe and provide support for families caring for their children. There are various social workers working for 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.

Child Welfare System Improvement Account. The Child Welfare System Improvement Account (CWSIA) was created in the state treasury in 2017. Monies in the account may be spent only after appropriation and are solely for foster home licensing, achieving permanency for children, support and assistance provided to foster parents in order to improve foster home retention and stability of placements, improving and increasing placement options for youth in foster care, and preventing out-of-home placement. Revenues in CWSIA consist of legislative appropriations and any other public or private funds appropriated to or deposited in the account.

Short-term Case Aides. Short-term case aides provide temporary assistance to foster parents. DCYF contracts with nonprofit organizations in each region to provide short-term case aide support. Short-term case aides must be hired by the nonprofit organization and have appropriate training, background checks, and qualifications determined by DCYF. In June 2020 the Washington State Institute for Public Policy must report on the impact and return on investment of the short-term case aide program.

Summary: A number of clarifying and technical fixes are made to statutes involving DCYF as follows.

- Section 1: Clarifies department reference is not DCYF, but rather DSHS, relating to developmental disability placements and dependency proceedings.
- Section 2: In a dependency proceeding, notice of service may be made by direction of the court by any adult who is not a party to the proceedings or by any law enforcement officer, probation counselor, or DCYF employee.
- Section 3: With Juvenile Rehabilitation Administration (JRA) moving from DSHS to DCYF on July 1, 2019, a statutory reference to JRA is amended accordingly.
- Section 4: Language is amended allowing the Department of Health (DOH) to continue allowing child welfare access to DOH vital statistics, such as access to birth certificate information.
- Section 5: Clarifies domestic violence perpetrator licensing and oversight functions remain with the domestic violence services program in DSHS, as opposed to DCYF.
- Section 6: DCYF is to administer the foster parent shared leave pool, as opposed to DSHS.

- Section 7: DSHS staff working in JRA institutions will continue to be eligible for membership in the public safety employees' retirement program.
- Section 8: Specific personal information is exempt from public disclosure. Personal information of substitute caregivers who are licensed or approved to provide overnight care of children by DCYF is exempt from public disclosure.
- Section 9: Repeals the children's annual quality assurance report statute and moves it to a new section under the DCYF statutes.
- Section 10: Allows DSHS to contract with DCYF to provide financial recovery services.
- Section 11: A new section is added for the children's annual quality assurance report—see section 10.
- Section 12: DCYF has the authority to request and run finger-print based background checks for (1) youth ages sixteen years or older who are not under the placement and care of DCYF, residing in the applicant's or service provider's home, facility, or business; and (2) an individual authorized by DSHS to provide services for people with developmental disabilities.
- Section 13: The correct rule is referenced when a child care agency is to report to DCYF knowledge of an individual having any charge or conviction for a crime listed in rule.
- Section 14: Allows DCYF, as opposed to DSHS, to maintain authority and access to reports and records of autopsies or postmortem for the purpose of child fatality reviews.
- Section 15: Clarifies that DSHS and DCYF employees who are assaulted in their line of work may be eligible for reimbursement for time lost due to the assault.
- Section 16: CWSIA is renamed and funds from this account may be used for additional purposes.
- Section 17: Clarifies the role of DSHS in regards to voluntary placement agreements related to children with developmental disabilities. This is not a function of DCYF.
- Section 18: Corrects an oversight to the children's services chapter by providing definitions of department—DCYF, and secretary—of DCYF.
- Section 19: Eliminates the required annual legislative report related to the transfer of funds from foster care services to family preservation services.
- Section 20: Clarifies DCYF has continuing authority to investigate alleged child abuse and neglect, including agencies or facilities operated by DSHS that receive children for care outside their home.
- Section 21: Both DCYF and DSHS have the authority to delete the name and identifying information of people or organizations who have reported alleged child abuse or neglect.
- Sections 22-24: In the Passport to Careers program, DCYF may share information about current and former foster youth; and the personally identifiable information DCYF shares for this purpose does not lose its confidentiality and may not be disclosed further unless allowed by law.
- Section 25: When the parentage of a dependent or alleged dependent child is being adjudicated, the petitioner must notify DCYF.

The Child Welfare System Improvement Account. CWSIA is renamed the DCYF Contracted Services Performance Improvement Account. The use of funds in the account is expanded to

include performance based contracting. Funds from this account may not be used for foster care licensing.

Child Welfare. 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, 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.

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.

Short-term Case Aides. Short-term case aides who assist foster parents may be volunteers with a community based nonprofit organization. The due date of the final report from the Washington State Institute on Public Policy on short-term case aides is extended by one year to June 30, 2021.

Votes on Final Passage:

Senate	49	0	
House	91	3	(House amended)
Senate	47	1	(Senate concurred)

Effective: July 28, 2019