

HOUSE BILL REPORT

HB 2224

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

Title: An act relating to the risks, strengths, and needs assessment tool used in the risk assessment process when investigating alleged child abuse and neglect referrals.

Brief Description: Incorporating a risks, strengths, and needs assessment tool in the risk assessment process when investigating alleged child abuse and neglect referrals.

Sponsors: Representatives Rule and Graham.

Brief History:

Committee Activity:

Human Services, Youth, & Early Learning: 1/23/24, 1/30/24 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Children, Youth, and Families (DCYF) to conduct a study to improve its risks, strengths, and needs assessment tool used in the risk assessment process when investigating alleged child abuse and neglect referrals.
- Requires that the risk assessment process used by the DCYF when investigating child abuse and neglect referrals be certified at least once every three years.

HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan, Goodman, Ortiz-Self and Taylor.

Minority Report: Without recommendation. Signed by 2 members: Representatives Dent

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

and Walsh.

Staff: Luke Wickham (786-7146).

Background:

Reports of Child Abuse or Neglect.

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: a 24-hour response that includes an investigation or a family assessment response for low to moderate-risk allegations that require a 72-hour response.

Within 30 days of the intake screening, a DCYF caseworker uses information gathered to assess the safety of the children in the home. If there is an active safety threat, the caseworker conducts a safety plan assessment to determine whether a safety plan can be developed that maintains the child in the home. The DCYF will take steps to remove the child from the home when there are active safety threats and the safety plan analysis indicates that a safety plan cannot keep the child safe in the home. If the caseworker determines that the child should be removed, the DCYF will hold a safe child consultation that includes the area administrator, caseworker, and several other people to collectively determine whether further steps may be taken to establish a safety plan that will allow the child to remain in the home.

The DCYF uses a structured decision-making risk assessment tool when investigating or assessing allegations of child abuse or neglect.

The DCYF is beginning a pilot where 24 caseworkers will use a new tool based on motivational interviewing to flag safety threats, identify risks, identify appropriate questions to ask the family, allow the family to identify goals, and map case plan development. This pilot will last six months.

If a report of child abuse or neglect is investigated by the DCYF, the DCYF must complete the investigation within at least 90 days, unless law enforcement or the prosecuting attorney has determined that a longer investigation is necessary. At the completion of the investigation, the DCYF must make a finding that the report of child abuse or neglect is founded or unfounded. A "founded" determination means that it is more likely than not that child abuse or neglect did occur. An "unfounded" determination means that available information indicates that, more likely than not, child abuse or neglect did not occur, or

that there is insufficient evidence for the DCYF to determine that it did or did not occur.

If a court in a civil or criminal proceeding, considering the same facts as contained in the report investigated by the DCYF, makes a finding by a preponderance of the evidence or higher that the subject of the investigation abused or neglected the child, the DCYF must adopt that finding.

Office of Innovation, Alignment, and Accountability.

The Office of Innovation, Alignment, and Accountability is an office within the DCYF that directs efforts related to innovation, alignment, integration, collaboration, and system reform.

Summary of Substitute Bill:

The Department of Children, Youth, and Families (DCYF) must conduct a study to improve its risks, strengths, and needs assessment tool used in the risk assessment process when investigating alleged child abuse and neglect referrals.

This study is intended to:

- identify family risks, strengths, and needs at the time of the initial Child Protective Services investigation or family assessment response to help inform the most appropriate service path for the family;
- identify the risk of harm to a child when substance use disorder is a factor in the case or high-potency synthetic opioids, such as fentanyl, are a condition in the home;
- determine the service needs of the family and support caseworkers to identify and transition families to appropriate, available services quickly; and
- support reassessment and monitoring of family progress.

The DCYF must provide data and information to the legislature on the DCYF's efforts to improve the risks, strengths, and needs assessment tool based on the study conducted.

The risk assessment process used by the DCYF when investigating child abuse and neglect referrals must be certified at least once every three years based on current academic standards for assessment validation, and can be certified by the Office of Innovation, Alignment, and Accountability within the DCYF or an outside researcher.

Substitute Bill Compared to Original Bill:

The substitute bill requires that the risk assessment process used by the Department of Children, Youth, and Families to investigate alleged child abuse and neglect referrals be certified at least once every three years (instead of the risks, strengths, and needs assessment tool used in the risk assessment process as provided in the underlying bill).

The substitute bill removes the requirement that the risk assessment process used by the Department of Children, Youth, and Families to investigate alleged child abuse and neglect referrals include a risks, strengths, and needs assessment tool.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute 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) Child welfare workers do some very difficult work that carries life and death implications. It is important to provide these workers with the best tools to enhance the work that they are doing.

Risk and safety decisions should not be based on bias or parenting style but should be based on the actual risk to the child. There are circumstances where the risk is high enough that the state must respond.

The inclusion of the determinations of supports that a family could benefit from, instead of just identifying what is available and the family's strengths, are great additions to this risk assessment process.

The Department of Children, Youth, and Families (DCYF) is attempting to rethink how the risk assessment tool is used. Historically, this tool has focused on the deficits of a family instead of the strengths the family offers.

The quality improvement and family inclusion in the risks, strengths, and needs tool will benefit families and DCYF staff. Understanding the strengths of a family will lead to better outcomes.

This pilot should include school in its assessment. Considering educational strengths and needs will help create conditions for foster children to thrive.

This bill will help make sure that the appropriate children will receive an intervention. This could change a child's entire trajectory.

Intervening in and supporting child welfare-involved families is really difficult work, but some of the most difficult work is done by child protective services workers investigating child abuse and neglect referrals. This bill helps support those people.

(Opposed) None.

Persons Testifying: Representative Alicia Rule, prime sponsor; Erica Hallock, Family Impact Network; Fred Kingston, Treehouse; Emily Stochel, College Success Foundation; Allison Krutsinger, Department of Children, Youth, and Families; and Ray Deck III, Skookum Kids.

Persons Signed In To Testify But Not Testifying: None.