

# SENATE BILL REPORT

## SHB 1406

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As Passed Senate, April 8, 2023

**Title:** An act relating to youth seeking housing assistance and other related services.

**Brief Description:** Concerning youth seeking housing assistance and other related services.

**Sponsors:** House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio and Davis).

**Brief History:** Passed House: 3/2/23, 96-0.

**Committee Activity:** Human Services: 3/14/23, 3/21/23 [DP-WM].

Ways & Means: 3/31/23, 4/03/23 [DP, w/oRec].

**Floor Activity:** Passed Senate: 4/8/23, 48-0.

### Brief Summary of Bill

- Authorizes a child to remain in a licensed shelter or with another licensed organization that provides services to homeless or runaway youth for up to 90 days if the shelter or organization is unable to make contact with a parent, or the shelter or organization makes contact with the parent, but the parent does not request that the child return home.
- Requires the Department of Children, Youth, and Families to offer family reconciliation services to families or youth after receiving a report that a youth is away from a lawfully prescribed residence as soon as possible, but no later than three days, excluding weekends and holidays, after receiving a report.
- Directs the Office of Homeless Youth Prevention and Protection Programs to provide additional funding and assistance to contracted youth service providers or other entities who convene a community support team.

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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 part of the legislation nor does it constitute a statement of legislative intent.*

- Increases the length of time that a youth may remain in a HOPE Center from 30 days to 90 days.

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## SENATE COMMITTEE ON HUMAN SERVICES

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame, Nguyen, Warnick and Wilson, J..

**Staff:** Alison Mendiola (786-7488)

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Nguyen, Pedersen, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Schoesler, Ranking Member, Capital.

**Staff:** Trevor Press (786-7446)

**Background:** Licensed Overnight Youth Shelters. Any entity that provides 24-hour care to a child that is not a relative must be licensed by the Department of Children, Youth, and Families (DCYF). Overnight youth shelters may be licensed to provide care for youth ages 13 through 17 or youth ages 16 through 21.

When a youth first enters an overnight shelter, the facility must:

- determine whether the youth's parents are aware of the whereabouts of the youth;
- follow parental notification procedures; and
- notify law enforcement or DCYF of any youth 12 years old or younger who is unaccompanied by an adult and requesting services.

If an overnight youth shelter or licensed organization providing services for runaway or homeless youth learns that a youth staying in its facility does not have parental permission, the facility must:

- notify the parent by telephone or other reasonable means unless compelling reasons exist, within 72 hours, preferably within 24 hours;

- notify DCYF if compelling reasons exist not to notify a parent including concerns of abuse or neglect; and
- review the publicly available information on missing youth made available by the Washington State Patrol at least every eight hours while the youth is present, and if the youth is listed as missing, the facility must contact DCYF.

Family Reconciliation Services. Family reconciliation services (FRS) are voluntary services provided by DCYF for runaway adolescents, and youth in conflict with their families. The program targets adolescents between ages 12 through 17. The FRSs are meant to resolve temporary crisis situations and prevent unnecessary out-of-home placement. The goal is to return the family to a precrisis state, and to work with the family to identify alternative methods of handling similar conflicts. If longer-term service needs are identified, the FRS will help facilitate getting the youth and their family into ongoing services.

The FRS may include, but are not limited to:

- short-term family counseling;
- Crisis Residential Centers (CRC) services;
- referrals for substance abuse treatment, or counseling, or both;
- referrals for behavioral health services;
- short-term placement; and
- family assessments in conjunction with juvenile court services.

HOPE Centers and Crisis Residential Centers. HOPE Centers provide temporary residential placements for street youth under age 18. These are homeless youth living on the street or other unsafe locations. Youth may self-refer to a HOPE Center for services, and entering a HOPE Center is voluntary. While residing in a HOPE Center, each youth will undergo a comprehensive assessment to include:

- the youth's legal status;
- a physical examination;
- a behavioral health evaluation; and
- an educational evaluation of their basic skills, along with any learning disabilities or special needs.

The purpose of the assessment is to develop the best plan for the youth. The plan will focus on finding a permanent and stable home for the youth. This plan might include reunifying the youth with a parent or legal guardian and getting the youth into a transitional living situation and off the streets.

No youth may remain in a HOPE Center longer than 30 days unless approved by DCYF.

CRCs operate as semi-secure or secure. A semi-secure CRC is not locked, but operates in a way that reasonably assures that youth placed there will not run away. Secure CRCs are designed and operated to prevent a youth from leaving without permission.

Office of Homeless Youth Prevention and Protection Programs. The Office of Homeless Youth Prevention and Protection Programs (OHY) is part of the Department of Commerce and leads the statewide efforts to coordinate funding, policy, and practice efforts related to homeless youth and improving the safety, health, and welfare of homeless youth.

OHY contracts with service providers that help prevent youth homelessness and serve youth and young adults who are experiencing homelessness, and with licensed youth shelter providers, including CRCs and HOPE Centers.

**Summary of Bill:** Family Reconciliation Services. DCYF must offer FRSs to families or youth after receiving a report that the youth is away from a lawfully prescribed residence or home with parental permission. If the family is being supported by a community support team (Team), DCYF or designed contractor of DCYF must still offer FRSs and coordinate with the Team.

Licensed Overnight Youth Shelter and Licensed Organizations With a Stated Mission to Provide Services to Homeless or Runaway Youth and Their Families. Subject to any limits established by a licensed overnight youth shelter and licensed organizations with a stated mission to provide services to homeless or runaway youth and their families (licensed shelter), the minor may remain at a licensed shelter for up to 90 days if:

- the shelter is unable to make contact with a parent despite their required notification efforts; or
- the shelter makes contact with the parent but the parent does not request the child return home even if the parent does not provide consent for the minor remaining in the shelter.

In these instances, the licensed shelter must also notify DCYF. When DCYF receives this report, it must make a good faith effort to notify the parent that a report has been received and offer services to the youth and the family designed to resolve the conflict, including offering FRSs. The FRS must be offered as soon as possible, but no later than three days, excluding weekends and holidays, upon receiving the report.

HOPE Centers and Crisis Residential Centers. Youth may remain at a HOPE center for 90 days. When an officer transfers custody of a child to a CRC or DCYF, the child may remain at the CRC or remain in out-of-home placements for up to 72 hours excluding weekends and holidays. A child may continue to stay in out-of-home care only if the parent requested the child not return home, in addition to other reasons provided by statute.

Community Support Team. OHY is to provide additional funding and assistance to contracted youth service providers or other entities who convene a Team. The purpose of the Team is to help identify supports for a youth focused on resolving family conflict and obtaining or maintaining long-term and stable housing.

A Team:

- is required to prioritize reunification between the youth and the youth's family to the extent possible without endangering the health, safety, or welfare of the child;
- may not engage with a family member other than the youth if the parent, guardian or legal custodian objects to the support or assistance offered and provided;
- must develop a process that allows youth to enter a licensed shelter to request assistance from the Team and any youth who enters a licensed shelter is eligible for the Team; and
- must coordinate efforts, if appropriate with DCYF or the designated contractor of DCYF providing FRS; multidisciplinary teams; and any other nearby youth homelessness assistance programs that may provide assistance to the youth.

The Team must include the youth and supportive adults identified by the youth, which may include:

- licensed shelter staff;
- case managers;
- individuals from the youth's school;
- juvenile court staff;
- the youth's attorney;
- behavioral health providers;
- community support providers;
- family members;
- mentors;
- peer support;
- housing navigation;
- legal assistance; or
- other community members.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**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 (Human Services):** PRO: Most of the time when parents are contacted about their child being in a shelter, the parent allows the child to stay and work starts to help reunify the family. Other times, the parents cannot be located, such as when they are homeless, including when parents leave the country and leave a sibling in charge, but the shelter can't accept the authorization from the sibling. Allowing youth to self refer to a shelter and stay up to 90 days will help a youth become stabilized and make sure they don't become chronically homeless adults. Adding the community team is a critical intervention. This bill ensures youth have somewhere to stay during times of crisis when

parents/guardians are nonresponsive or refuse to let child return home. Young people know their needs best and often when they seek shelter outside of the home, there are reasons why. It is our responsibility to have safe shelter for youth and for community support teams to provide additional support and help with long-term plan.

**Persons Testifying (Human Services):** PRO: Representative Julio Cortes, Prime Sponsor; Lelach Rave, Washington Chapter of the American Academy of Pediatrics; Erin Shea McCann, LCYC; Karen Pillar, Team Child; Julie Patino, A Way Home Washington.

**Persons Signed In To Testify But Not Testifying (Human Services):** No one.

**Staff Summary of Public Testimony (Ways & Means):** PRO: This bill addresses a long-standing issue that has cost money and lives. We want adolescents to be safe and off the streets, away from predators. Young people experience homelessness for a variety of reasons. This bill allows children to stay off the streets for longer and provides them with many other supports when they are in crisis. This bill puts young people who are out of their homes in a place of power. This bill gives children the right of protection against abuse and will allow children to decide for themselves if they don't want to be abused. Young people need to be allowed inside and allowed access to supports.

**Persons Testifying (Ways & Means):** PRO: Alex Hur, NW Education Access; Jim Theofelis, NorthStar Advocates; Julie Patino, A Way Home Washington; Athena, Legal Counsel for Youth and Children; Danni Jo Bechtold, The Mockingbird Society.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.