

SENATE BILL REPORT

SHB 2224

As Reported by Senate Committee On:
Human Services, February 20, 2024

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: House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Rule and Graham).

Brief History: Passed House: 2/8/24, 93-4.

Committee Activity: Human Services: 2/15/24, 2/20/24 [DPA, w/oRec].

Brief Summary of Amended 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.
- Directs DCYF to provide data and information to the Legislature on DCYF's efforts to improve its risks, strengths, and needs assessment tool by November 1, 2024.
- Requires that the risk assessment process used by DCYF when investigating child abuse and neglect referrals be certified at least once every three years.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass as amended.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame, Nguyen,

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.

Warnick and Wilson, J..

Minority Report: That it be referred without recommendation.

Signed by Senator Boehnke, Ranking Member.

Staff: Alison Mendiola (786-7488)

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) , or to law enforcement. There are many individuals who are required by law to report suspected abuse or neglect.

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. 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, 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.

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

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 DCYF, 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, DCYF must make a finding that the report of child abuse or neglect is founded or unfounded. A founded determination means 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 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 DCYF, makes a finding by a preponderance of the evidence or higher that the subject of the investigation abused or neglected the child, DCYF must adopt that finding.

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

Summary of Amended Bill: DCYF is to conduct a study to improve its risks, strengths, and needs assessment tool used in the risk assessment process when investigating alleged child abuse or neglect referrals to:

- identify family risks, strengths, and needs at the time of the initial CPS 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 a 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.

By November 1, 2024, DCYF is to provide data and information to the Legislature on DCYF's efforts to improve its risks, strengths, and needs assessment tool, including data, information, and analysis on the effect its efforts would have upon racial disproportionality within the risk assessment process

The risk assessment process used when investigating alleged child abuse and neglect referrals is to 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 or an outside researcher. The certified risk assessment process used when investigating alleged child abuse and neglect must address, and not exacerbate, racial disproportionality in the child welfare system.

EFFECT OF HUMAN SERVICES COMMITTEE AMENDMENT(S):

DCYF is to provide the Legislature with data, information, and analysis on the effect its efforts would have upon racial disproportionality within the risk assessment process. The certified risk assessment process used when investigating alleged child abuse and neglect must address, and not exacerbate, racial disproportionality in the child welfare system.

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 Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Sometimes remaining in a home is too dangerous for a child, sometimes there is a lot that can be offered to prevent a removal. A child may remain in the home unsafely or a child is removed unnecessarily—this bill will help address this by reducing bias and making sure the most recent science is used. Appreciate the determination of services that a family would be benefit from vs. what is available, it's a shift to a strengths perspective as opposed to a deficit model. This is a good practice change. This tool keeps kids safe and helps social workers resulting in less fatalities or near fatalities and reduces the number of families cycling back into the system. Appreciate the shift to motivation interviewing. Regularly assessing the tool is a smart move.

Persons Testifying: PRO: Representative Alicia Rule, Prime Sponsor; Emily Stochel, College Success Foundation; Erica Hallock, Family Impact Network; Ray Deck III, Skookum Kids; Jarel Sanders, Department of Children, Youth, & Families.

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