
SECOND SUBSTITUTE HOUSE BILL 2046

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Cooke, Kessler and Boldt)

Read first time 03/10/97.

1 AN ACT Relating to foster care; amending RCW 74.13.031 and
2 74.13.280; adding new sections to chapter 74.13 RCW; creating a new
3 section; providing an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 74.13.031 and 1995 c 191 s 1 are each amended to read
6 as follows:

7 The department shall have the duty to provide child welfare
8 services as defined in RCW 74.13.020, and shall:

9 (1) Develop, administer, supervise, and monitor a coordinated and
10 comprehensive plan that establishes, aids, and strengthens services for
11 the protection and care of homeless, runaway, dependent, or neglected
12 children.

13 (2) (~~Develop a recruiting plan for recruiting~~) Recruit an
14 adequate number of prospective adoptive and foster homes, both regular
15 and specialized, i.e. homes for children of ethnic minority, including
16 Indian homes for Indian children, sibling groups, handicapped and
17 emotionally disturbed, teens, pregnant and parenting teens, and
18 annually (~~submit the plan for review~~) report the department's success
19 in meeting the need for adoptive and foster home placements to the

1 appropriate committees of the house of representatives and senate
2 ~~((committees on social and health services))~~. The ~~((plan))~~ report
3 shall include a section entitled "Foster Home Turn-Over, Causes and
4 Recommendations."

5 (3) Investigate complaints of neglect, abuse, or abandonment of
6 children, and on the basis of the findings of such investigation, offer
7 child welfare services in relation to the problem to such parents,
8 legal custodians, or persons serving in loco parentis, and/or bring the
9 situation to the attention of an appropriate court, or another
10 community agency: PROVIDED, That an investigation is not required of
11 nonaccidental injuries which are clearly not the result of a lack of
12 care or supervision by the child's parents, legal custodians, or
13 persons serving in loco parentis. If the investigation reveals that a
14 crime may have been committed, the department shall notify the
15 appropriate law enforcement agency.

16 (4) Offer, on a voluntary basis, family reconciliation services to
17 families who are in conflict.

18 (5) Monitor out-of-home placements, on a timely and routine basis,
19 to assure the safety, well-being, and quality of care being provided is
20 within the scope of the intent of the legislature as defined in RCW
21 74.13.010 and 74.15.010, and annually submit a report ~~((delineating the~~
22 ~~results))~~ measuring the extent to which the department achieved the
23 specified goals to the appropriate committees of the house of
24 representatives and senate ~~((committees on social and health~~
25 ~~services))~~.

26 (6) Have authority to accept custody of children from parents and
27 to accept custody of children from juvenile courts, where authorized to
28 do so under law, to provide child welfare services including placement
29 for adoption, and to provide for the physical care of such children and
30 make payment of maintenance costs if needed. Except where required by
31 Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency
32 which receives children for adoption from the department shall
33 discriminate on the basis of race, creed, or color when considering
34 applications in their placement for adoption.

35 (7) Have authority to provide temporary shelter to children who
36 have run away from home and who are admitted to crisis residential
37 centers.

38 (8) Have authority to purchase care for children; and shall follow
39 in general the policy of using properly approved private agency

1 services for the actual care and supervision of such children insofar
2 as they are available, paying for care of such children as are accepted
3 by the department as eligible for support at reasonable rates
4 established by the department.

5 (9) Establish a children's services advisory committee which shall
6 assist the secretary in the development of a partnership plan for
7 utilizing resources of the public and private sectors, and advise on
8 all matters pertaining to child welfare, licensing of child care
9 agencies, adoption, and services related thereto. At least one member
10 shall represent the adoption community.

11 (10) Have authority to provide continued foster care or group care
12 for individuals from eighteen through twenty years of age to enable
13 them to complete their high school or vocational school program.

14 (11) Have authority within funds appropriated for foster care
15 services to purchase care for Indian children who are in the custody of
16 a federally recognized Indian tribe or tribally licensed child-placing
17 agency pursuant to parental consent, tribal court order, or state
18 juvenile court order; and the purchase of such care shall be subject to
19 the same eligibility standards and rates of support applicable to other
20 children for whom the department purchases care.

21 Notwithstanding any other provision of RCW 13.32A.170 through
22 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
23 services to be provided by the department of social and health services
24 under subsections (4), (6), and (7) of this section, subject to the
25 limitations of these subsections, may be provided by any program
26 offering such services funded pursuant to Titles II and III of the
27 federal juvenile justice and delinquency prevention act of 1974.

28 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
29 to read as follows:

30 The department shall provide a foster parent liaison position in
31 each department region. The department shall contract with a private
32 nonprofit organization to provide the foster parent liaison function.
33 The foster parent liaison shall enhance the working relationship
34 between department case workers and foster parents. The foster parent
35 liaison shall provide expedited assistance for the unique needs and
36 requirements posed by special needs foster children in out-of-home
37 care. The foster parent liaison shall reduce the turnover of foster

1 parents by twenty percent from the historical turnover rate in each
2 region.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.13 RCW
4 to read as follows:

5 The department shall increase the number of adoptive and foster
6 families available to accept children through an intensive recruitment
7 and retention program. The department shall contract with a private
8 agency to coordinate foster care and adoptive home recruitment
9 activities for both the department and private agencies.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.13 RCW
11 to read as follows:

12 (1) After the effective date of chapter . . . , Laws of . . . (this
13 act), the department shall provide to every foster parent who receives
14 a foster child a passport that contains a complete report containing
15 all known and available information concerning the mental, physical,
16 legal, health, and educational status of the child. The passport shall
17 be provided to the foster parent at the initial physical placement of
18 the child. The department shall update the passport during the
19 regularly scheduled court reviews required under chapter 13.34 RCW.

20 (2) If, on July 1, 1998, the department has failed to completely
21 implement this section, a reduction in force of six full-time
22 equivalent administrative positions shall be applied to the children's
23 administration. The positions affected by this reduction in force
24 shall not include any positions involving the direct provision of
25 services to children and families, licensing, or monitoring of children
26 in care. The funds generated from this reduction in force shall be
27 used to contract for the development and operation of the passport
28 program required by this section.

29 (3) The secretary of the department of social and health services
30 shall certify to the ways and means committee of the senate and the
31 appropriations committee of the house of representatives whether the
32 children's administration has complied with the provisions of this
33 section.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.13 RCW
35 to read as follows:

1 The department shall provide child care for all foster parents who
2 are required to attend meetings, training, and any other out-of-home
3 activities related to their official duties as a foster parent. If the
4 department is unable or unwilling to provide such child care the
5 department shall conduct the activities covered by this section in the
6 foster parent's home or other location acceptable to the foster parent.

7 **Sec. 6.** RCW 74.13.280 and 1995 c 311 s 21 are each amended to read
8 as follows:

9 (1) Except as provided in RCW 70.24.105, whenever a child is placed
10 in out-of-home care by the department or a child-placing agency, the
11 department or agency (~~may~~) shall share information about the child
12 and the child's family with the care provider and (~~may~~) shall consult
13 with the care provider regarding the child's case plan. If the child
14 is dependent pursuant to a proceeding under chapter 13.34 RCW, the
15 department or agency shall keep the care provider informed regarding
16 the dates and location of dependency review and permanency planning
17 hearings pertaining to the child.

18 (2) Any person who receives information about a child or a child's
19 family pursuant to this section shall keep the information confidential
20 and shall not further disclose or disseminate the information except as
21 authorized by law.

22 (3) Nothing in this section shall be construed to limit the
23 authority of the department or child-placing agencies to disclose
24 client information or to maintain client confidentiality as provided by
25 law.

26 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
27 section 2 or 3 of this act, referencing this act by section and bill or
28 chapter number, is not provided by June 30, 1997, in the omnibus
29 appropriations act, the specific section not referenced is null and
30 void.

31 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 July 1, 1997.

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