

# HOUSE BILL REPORT

## E2SHB 1965

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### As Passed Legislature

**Title:** An act relating to public and private partnership in addressing adverse childhood experiences.

**Brief Description:** Concerning adverse childhood experiences.

**Sponsors:** House Committee on Ways & Means (originally sponsored by Representatives Kagi, Jinkins, Frockt and Kenney).

#### **Brief History:**

##### **Committee Activity:**

Early Learning & Human Services: 2/15/11, 2/17/11 [DPS];  
Ways & Means: 3/14/11, 3/31/11 [DP2S(w/o sub ELHS)].

##### **Floor Activity:**

Passed House: 4/11/11, 63-33.  
Passed House: 5/2/11, 57-38.  
Senate Amended.  
Passed Senate: 5/17/11, 38-8.  
House Refused to Concur.  
Senate Amended.  
Passed Senate: 5/22/11, 34-14.  
House Concurred.  
Passed House: 5/23/11, 74-21.  
Passed Legislature.

#### **Brief Summary of Engrossed Second Substitute Bill**

- Eliminates the Family Policy Council effective June 30, 2012.
- Eliminates the Council for Children and Families effective June 30, 2012.
- Requires the Secretary of the Department of Social and Health Services and the Director of the Department of Early Learning to participate in the development of a nongovernmental public-private initiative to prevent and reduce adverse childhood experiences.
- Authorizes the Department of Early Learning to disburse funds from the Children's Trust Fund effective July 1, 2012.

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

- Authorizes the Superintendent of Public Instruction to award grants to improve readiness to learn.

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## HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Kagi, Chair; Roberts, Vice Chair; Walsh, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Dickerson, Goodman, Johnson and Orwall.

**Minority Report:** Do not pass. Signed by 1 member: Representative Overstreet.

**Staff:** Linda Merelle (786-7092).

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by 16 members: Representatives Hunter, Chair; Darneille, Vice Chair; Hasegawa, Vice Chair; Carlyle, Cody, Dickerson, Haigh, Hudgins, Hunt, Kagi, Kenney, Ormsby, Pettigrew, Seaquist, Springer and Sullivan.

**Minority Report:** Do not pass. Signed by 11 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Chandler, Haler, Hinkle, Parker, Ross, Schmick and Wilcox.

**Staff:** Amy Skei (786-7109).

### **Background:**

#### Family Policy Council.

The Family Policy Council (FPC) was established to modify public policy and programs to empower communities to support and respond to the needs of individual families and children, and to improve the responsiveness of services for children and families at risk by facilitating greater coordination and flexibility in the use of funds by state and local service agencies.

*Duties of the FPC.* The FPC is required to:

- establish boundaries for community networks;
- develop technical assistance and training programs to assist communities in developing networks;
- approve the structure, purpose, goals, plan, and performance measures of each network;

- identify prevention and early intervention programs and funds which could be transferred to a community network and report findings to the Governor and Legislature;
- reward exceptionally successful community networks;
- seek opportunities to maximize federal and other funding that is consistent with the plans approved by the FPC; and
- monitor the implementation of programs contracted by participating state agencies.

*Community Networks.* The FPC partners with approximately 42 community public health and safety networks. Networks are required to:

- review state and local public health data related to risk factors, protective factors, and at-risk children and youth;
- prioritize risk factors and protective factors to reduce the likelihood of children and youth becoming at-risk;
- develop long-term comprehensive plans to reduce the rate of at-risk children and youth;
- comply with the Department of Health and local boards of health to provide data and determine outcomes; and
- coordinate its efforts with anti-drug use efforts and organizations.

#### Council for Children and Families.

The Council for Children and Families (CCF) was established to increase educational programs and services to prevent child abuse and neglect in partnership between communities, citizens, and the state.

The CCF is authorized to contract with public or private nonprofit organizations, agencies, schools, or with qualified individuals for the establishment of a range of community-based programs and services designed to reduce child abuse and neglect. The CCF is also charged with:

- facilitating the exchange of information between groups concerned with families and children;
- consulting with the applicable agencies, commissions, and boards to help determine the probable effectiveness, fiscal soundness, and need for proposed educational and service programs for the prevention of child abuse and neglect;
- establishing fee schedules to provide for the recipients of services to reimburse the State General Fund for the cost of services received; and
- accepting and dispersing funds from the Children's Trust Fund.

#### Adverse Childhood Experiences.

The Center for Disease Control and Prevention (CDC) has conducted a long-term, large-scale study, to examine the relationship between adverse childhood experiences and critical outcomes later in life. The study findings have indicated that particular experiences early in life are major risk factors for the leading causes of illness, death, and poor quality of life.

The CDC defines an adverse childhood experience as any of the following conditions in a household of a child under age 18:

- recurrent physical abuse;
- recurrent emotional abuse;

- sexual abuse;
- an alcohol and/or drug abuser in the household;
- an incarcerated household member;
- someone who is chronically depressed, mentally ill, institutionalized, or suicidal;
- mother is treated violently;
- one or no parents; and
- emotional or physical neglect.

In 2010 the first Washington data regarding adverse childhood experiences became available through the Behavioral Risk Factor Surveillance System (BRFSS). According to the Department of Health, the BRFSS is the largest, continuously conducted, telephone health survey in the world. It enables the CDC, state health departments, and other health agencies to monitor modifiable risk factors for chronic diseases and other leading causes of death.

According to the 2010 FPC report, *Adverse Childhood Experiences and Population Health in Washington: the Face of a Chronic Public Health Disaster*, adverse childhood experiences have been common in Washington. The data have indicated a need for "integrated approaches to prevent adverse childhood experiences, and intervene early on [in the lives of] children... better identification and treatment of the effects of adverse childhood experiences among persons and systems interacting with children...." The FPC concluded that "... development of more integrated approaches will likely contribute to improved treatment of affected persons, and better integration of research priorities, preventive social and educational services and legal venues."

#### Reinvesting in Youth Program.

In 2006 the Legislature passed House Bill 1483 (HB 1483) requiring the Juvenile Rehabilitation Administration (JRA) to establish a Reinvesting in Youth Program that awards grants to counties for implementing research-based early intervention services that target juvenile justice-involved youth and reduce crime. Under the bill, the Washington State Institute for Public Policy and the JRA were required to develop the guidelines for the implementation of the program. The JRA was also required to form a technical advisory group to assist in the implementation of the program.

#### **Summary of Engrossed Second Substitute Bill:**

##### Family Policy Council and Council for Children and Families.

The FPC and the CCF are eliminated effective June 30, 2012. Community networks are preserved.

##### Adverse Childhood Experiences.

A definition for "Adverse Childhood Experience" is provided in statute.

##### Private-Public Initiative.

The Secretary of the Department of Social and Health Services (Secretary) and the Director of Department of Early Learning (Director) must actively participate in the development of a nongovernmental private-public initiative (Initiative) which focuses on coordinating investments, positive development of children, and preventing and mitigating the effects of adverse childhood experiences. The Secretary and Director must convene and co-chair a

planning group, with 12-15 members, to work with private partners to develop a strategy for reaching the goals of identifying, preventing, and mitigating the harm of adverse childhood experiences, and recommendations to advance the Initiative. The planning group must represent a diversity of interests, including early learning coalitions, community public health and safety networks, organizations that work to prevent and address child abuse and neglect, tribes, public agencies involved in intervention or prevention of adverse childhood experiences, philanthropic organizations, and organizations focused on community mobilization.

The planning group must submit a report on its progress and recommendations to the appropriate legislative committees no later than December 15, 2011.

The Initiative shall advise the Secretary regarding the approval of blended funding projects recommended by the community networks.

Authority of the Department of Social and Health Services.

The Secretary is authorized to enter into contracts on behalf of the Department of Social and Health Services (DSHS), provide funding to the Initiative, and accept gifts, grants, or other funds to prevent or reduce adverse childhood experiences.

Duties Transferred to the Department of Early Learning.

Beginning July 1, 2011, the CCF and Department of Early Learning (DEL) must develop a plan for transitioning to the DEL the work of the CCF, including public awareness campaigns. The CCF and the DEL must participate in the development of the Initiative to streamline efforts around the prevention of child abuse and neglect and avoid duplication of efforts.

The Executive Director of the CCF and the Director of the DEL must consult with the planning group convened under this act to develop strategies to maximize Washington's leverage and match of federal child abuse and neglect prevention moneys. No later than January 1, 2012, the CCF and the DEL must report to the Legislature regarding its transition plan.

The duty to fund evidence-based and research-based home visitation programs is transferred from the CCF to the DEL. General funds intended to support home visiting funding must be appropriated to the Home Visiting Services Account with the purpose of maximizing opportunities to obtain matching funds from private entities. The DEL must work with the DSHS, the Department of Health, the Thrive by Five Washington (a private-public partnership created in statute in 2006), and key partners and stakeholders to develop a plan to coordinate or consolidate home visitation services to the extent practicable.

Beginning July 1, 2012, the DEL is authorized to disburse funds from the Children's Trust Fund.

Readiness to Learn.

The Superintendent of Public Instruction shall award grants to community-based consortiums that submit comprehensive plans that include strategies to improve readiness to learn.

Technical Advisory Committee.

The JRA is no longer required to convene a technical advisory committee, as previously required under HB 1483 (2006).

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 5, relating to the authority to make disbursements from the Children's Trust Fund, which takes effect July 1, 2012.

**Staff Summary of Public Testimony** (Early Learning & Human Services):

(In support) This state is well known for following research and basing policy on research. There has been compelling research regarding the fact that adverse childhood experiences have a very deleterious impact on the lives of children who have experienced them. It affects their employment, their mental health, their chemical dependency status, and a whole range of outcomes. There is a lot of interest in the private sector to work with the public sector to address those impacts and to mobilize the interest and the knowledge of communities to help them organize around families and reduce adverse childhood experiences. This bill is intended to be a vehicle for community mobilization and for a private-public partnership (partnership) which can be an existing or new organization which brings together public and private resources to leverage more funding to address this critical concern. Focus is on enabling the partnership to work with communities and to define how it would move forward. The networks are authorized to continue. Communities should have determination of what mechanism they want to use at the local level. The issues addressed in this bill underscore the importance of the first five years of life. There is a clear linear relationship: the more adverse childhood experiences there are in a child's life, the more detrimental the effects in all aspects of adjustment. It is most important to have people closest to the action define what they need and how they do it. There are many local districts in our state. What is important is that the local entity decides which entity is best to do the work in their community.

(In support with concerns) The requirement of the use of evidence-based programs severely limits the ability to do things at the local level. The networks and coalitions need support in developing a design to implement local strategies to reduce childhood abuse and neglect. The bill has a lot of promise. If children grow up with positive experiences rather than adverse childhood experiences, the likelihood that children will not be involved in crime is increased. The best of all of the communities can be used to create something greater than the sum of the parts. In order for this to happen there needs to be an authentic process which includes the CCF and the FPC. The partnership does not have to be something new. It can be something that is already in existence.

(Neutral) The CCF, the FPC, and the community networks have done an incredible amount of work over the past many years. It is important to see that work and outcomes retained to the highest degree possible. There has been a lot of focus on adverse childhood experiences,

and the efforts to advance that work are appreciated. The CCF and the FPC should be involved in deciding what the partnership should look like.

(Opposed) The FPC made it possible for the Washington researchers to work with the researchers who developed the adverse childhood experiences study. The FPC has been considered the main leader for educating community leaders regarding adverse childhood experiences. The structure of the partnership is not explained in the bill. It is important to keep citizens involved in the process. The bill's focus on children ages birth to 5 years old is too narrow. The sunset date for the CCF and the FPC is next year. We are at risk of losing 30 percent of funding when current funding is already bare bones. The Legislature may want to extend the sunset date. The public aspect of the partnership is not clear, and a supported infrastructure is needed to have the accountability for the programs that the partnership may support. Families will not go to the DSHS for help because they are afraid that their children will be removed. The CCF needs to be kept alive so that families can find what they need.

**Staff Summary of Public Testimony (Ways & Means):**

(In support) There is a lot of private sector and philanthropic interest in developing a partnership with the state to move forward community mobilization around adverse childhood experiences. Adverse childhood experiences are the long-term negative health and other impacts that result from experiencing severe stress at a young age. This is a vehicle to either create such a partnership or use an existing one in order to support community efforts to reduce adverse childhood experiences. The FPC and the CCF would sunset in a year which gives some time for a transition period. This takes advantage of the community networks' experience in local communities. The prime sponsor has gathered a lot of people together to shape this idea. The Governor's budget proposal eliminates both councils and creates a community initiative with the development spearheaded by the DSHS. This bill provides more time for the interested parties to come together to define the long-term work of the partnership, but still produces savings and moves the work out from the mantle of state government.

(In support with concerns) The bill should be broadened to focus on adverse childhood experiences beyond just early childhood; the research shows that trauma affects kids and their brain development well past early childhood. The bill should also be expanded to include promising practices. It is critical that the state continue its focus on using proven methods to reduce child abuse and neglect.

(Opposed) None.

**Persons Testifying** (Early Learning & Human Services): (In support) Representative Kagi, prime sponsor; Bette Hyde, Department of Early Learning; Andi Smith, Office of the Governor; and Jody Becker-Green, Department of Social and Health Services.

(In support with concerns) Annie Cubberly, Child Care Action Council; Laura Wells, Fight Crime: Invest in Kids; and Beverly Bowen Bennett.

(Neutral) Laurie Lippold, Children's Home Society of Washington.

(Opposed) Trish McNabb, Eastside and Lewis County Community Network; Robin Higa; and Mary Ellis-Meraz.

**Persons Testifying** (Ways & Means): (In support) Representative Kagi, prime sponsor; and Andi Smith, Office of the Governor.

(In support with concerns) Rob Been, Community Network Coalition; Sarah Kluesner, Greater Pierce County Community Network; and Laura Wells, Fight Crime: Invest in Kids.

**Persons Signed In To Testify But Not Testifying** (Early Learning & Human Services): None.

**Persons Signed In To Testify But Not Testifying** (Ways & Means): None.