

# HOUSE BILL REPORT

## HB 1774

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**As Reported by House Committee On:**  
Early Learning & Human Services  
Appropriations Subcommittee on Health & Human Services

**Title:** An act relating to measuring performance of the child welfare system.

**Brief Description:** Measuring performance of the child welfare system.

**Sponsors:** Representatives Freeman, Goodman, Haler, Roberts, Farrell, Kagi, Stanford, Stonier, Bergquist, Ryu, O'Ban, Morrell, Fey, Pollet and Santos.

**Brief History:**

**Committee Activity:**

Early Learning & Human Services: 2/19/13, 2/21/13 [DPS];

Appropriations Subcommittee on Health & Human Services: 2/25/13 [DPS(ELHS)].

**Brief Summary of Substitute Bill**

- Requires the University of Washington, through Partners for Our Children, to develop measurements for the indicators of safety, permanency, and well-being in the child welfare system, using data provided by the Department of Social and Health Services and other state agencies.

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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 10 members: Representatives Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell, Goodman, MacEwen, Overstreet, Roberts, Sawyer and Zeiger.

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

**Background:**

In 1998 a lawsuit was filed against the Department of Social and Health Services (DSHS) on behalf of foster children who had experienced harmful conditions during their time in foster care caused by placements in multiple foster homes and insufficient services. A settlement

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agreement between the parties resulted in 2004, and within it, the DSHS agreed to make reforms in six key areas: placement stability; mental health; foster parent training; unsafe or inappropriate placements; sibling separation; and adolescent services. The settlement also established the Braam Oversight Panel (Oversight Panel), consisting of five independent members who were to create an implementation plan to improve outcomes in these areas and to oversee the DSHS's progress in making reforms.

The Oversight Panel issued a report for the first half of 2012 which indicated that the DSHS had made significant progress in improving many aspects of the state's foster care system. In October 2011 the parties entered into a revised settlement agreement and the DSHS acknowledged that some outcomes had not been met. The revised agreement extended the Oversight Panel's operations only until December 31, 2012.

Partners for Our Children (POC), founded in 2007, is a collaboration between the DSHS, the University of Washington School of Social Work, and private sector funding.

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### **Summary of Substitute Bill:**

Within existing resources, the University of Washington (UW), through the POC, and in cooperation with the DSHS and other stakeholders, must develop measurements for the indicators of safety, permanency, and well-being in the child welfare system. State agencies under this act are defined as any agency or subagency providing data used in the integrated client database maintained by the Research and Data Analysis Division.

The measurements must be developed using existing and available data and must not require state agencies to provide individually identifiable information. The indicator measurements must use a methodology accepted by the scientific community, and wherever possible must address any disproportionate racial and ethnic inequality. The measurements must be developed by December 1, 2013.

By July 1, 2014, the state agencies must execute agreements with the POC regarding data sharing to comply with this act. The state agencies must provide the UW with all measurement data at least quarterly, beginning January 1, 2014. The POC must make the nonidentifiable data publicly available. The POC must report to the Legislature and the Governor annually, starting December 31, 2014.

Specific measures, baselines, or comparisons of measures to a baseline are not admissible as evidence of negligence by the DSHS in civil action.

### **Substitute Bill Compared to Original Bill:**

Section 2 of the original bill, which contained the provisions specifying the indicators of safety, permanency, and well-being, was removed. The POC is required to develop measurements for these indicators by December 1, 2013.

State agencies must execute agreements with the POC by July 1, 2014, and share data with the POC on a quarterly basis, beginning January 1, 2014. The POC must make the data publicly available in a nonidentifiable form.

Any baseline and measurement data used by the POC is not admissible as evidence of negligence in a civil action against the DSHS.

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**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) The professionals in the system never know the impact on the system. There are no indicators that allow professionals in the system to know how well they are doing and how well children are being treated in the child welfare system. The bill supports the goal of the POC to increase transparency and make information available to the public. The POC has significant private investment that would allow it to make the information available to the public in a very short period of time. No identifiable data will be made public. The provisions of this bill will allow an examination of whether best practices and alternative responses are effective in providing outcomes.

(In support with amendment(s)) The Office of the Attorney General is still concerned with the liability regarding public availability of the data.

(Opposed) None.

**Persons Testifying:** (In support) Representative Freeman, prime sponsor; Ben de Haan, Partners for Our Children; Jeanine Livingston, Washington Federation of State Employees; and Grace Huang, Washington State Coalition Against Domestic Violence.

(In support with amendment(s)) Jennifer Strus, Department of Social and Health Services, Children's Administration.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN SERVICES**

**Majority Report:** The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody, Green, Jinkins, Kagi, Ormsby, Ross and Schmick.

**Staff:** Mary Mulholland (786-7391).

**Summary of Recommendation of Committee On Appropriations Subcommittee on Health & Human Services Compared to Recommendation of Committee On Early Learning & Human Services:**

No new changes were recommended.

**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) The bill allows the state to see how well the child welfare system is doing and what services are necessary to achieve permanency. Private funders have made an incredible investment in data collection and reporting so far, and the Partners for Our Children (POC) would be very surprised if this investment does not continue. The hope and goal of the POC is to use the data to drive discussions and decisions over how to invest in the child welfare system in a way that will produce positive outcomes.

(Opposed) None.

**Persons Testifying:** Representative Freeman, prime sponsor; and Laurie Lippold, Partners for our Children.

**Persons Signed In To Testify But Not Testifying:** None.