

2 **E2SHB 2046** - S COMM AMD  
3 By Committee on Ways & Means

4 ADOPTED AS AMENDED 4/17/97

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 74.13.031 and 1995 c 191 s 1 are each amended to read  
8 as follows:

9 The department shall have the duty to provide child welfare  
10 services ((as defined in RCW 74.13.020,)) and shall:

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

15 (2) ((Develop a recruiting plan for recruiting)) Within available  
16 resources, recruit an adequate number of prospective adoptive and  
17 foster homes, both regular and specialized, i.e. homes for children of  
18 ethnic minority, including Indian homes for Indian children, sibling  
19 groups, handicapped and emotionally disturbed, teens, pregnant and  
20 parenting teens, and annually ((submit the plan for review to the house  
21 and senate committees on social and health services)) report to the  
22 governor and the legislature concerning the department's success in:  
23 (a) Meeting the need for adoptive and foster home placements; (b)  
24 reducing the foster parent turnover rate; (c) completing home studies  
25 for legally free children; and (d) implementing and operating the  
26 passport program required by section 5 of this act. The ((plan))  
27 report shall include a section entitled "Foster Home Turn-Over, Causes  
28 and Recommendations."

29 (3) Investigate complaints of neglect, abuse, or abandonment of  
30 children, and on the basis of the findings of such investigation, offer  
31 child welfare services in relation to the problem to such parents,  
32 legal custodians, or persons serving in loco parentis, and/or bring the  
33 situation to the attention of an appropriate court, or another  
34 community agency: PROVIDED, That an investigation is not required of  
35 nonaccidental injuries which are clearly not the result of a lack of  
36 care or supervision by the child's parents, legal custodians, or

1 persons serving in loco parentis. If the investigation reveals that a  
2 crime may have been committed, the department shall notify the  
3 appropriate law enforcement agency.

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

6 (5) Monitor out-of-home placements, on a timely and routine basis,  
7 to assure the safety, well-being, and quality of care being provided is  
8 within the scope of the intent of the legislature as defined in RCW  
9 74.13.010 and 74.15.010, and annually submit a report (~~(delineating the~~  
10 ~~results)) measuring the extent to which the department achieved the  
11 specified goals to the (~~(house and senate committees on social and~~  
12 ~~health services)) governor and the legislature.~~~~

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

22 (7) Have authority to provide temporary shelter to children who  
23 have run away from home and who are admitted to crisis residential  
24 centers.

25 (8) Have authority to purchase care for children; and shall follow  
26 in general the policy of using properly approved private agency  
27 services for the actual care and supervision of such children insofar  
28 as they are available, paying for care of such children as are accepted  
29 by the department as eligible for support at reasonable rates  
30 established by the department.

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

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

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

8 Notwithstanding any other provision of RCW 13.32A.170 through  
9 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
10 services to be provided by the department of social and health services  
11 under subsections (4), (6), and (7) of this section, subject to the  
12 limitations of these subsections, may be provided by any program  
13 offering such services funded pursuant to Titles II and III of the  
14 federal juvenile justice and delinquency prevention act of 1974.

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

17 Within available resources, the department shall provide a foster  
18 parent liaison position in each department region. The department  
19 shall contract with a private nonprofit organization to provide the  
20 foster parent liaison function. The foster parent liaison shall  
21 enhance the working relationship between department case workers and  
22 foster parents. The foster parent liaison shall provide expedited  
23 assistance for the unique needs and requirements posed by special needs  
24 foster children in out-of-home care. Any contract entered into under  
25 this section for a foster parent liaison shall include a requirement  
26 that the contractor substantially reduce the turnover rate of foster  
27 parents in the region by an agreed upon percentage. The department  
28 shall evaluate whether an organization that has a contract under this  
29 section has reduced the turnover rate by the agreed upon amount or more  
30 when determining whether to extend or renew a contract under this  
31 section.

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

34 Within available resources, the department shall increase the  
35 number of adoptive and foster families available to accept children  
36 through an intensive recruitment and retention program. The department  
37 shall contract with a private agency to coordinate foster care and

1 adoptive home recruitment activities for the department and private  
2 agencies.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.20A RCW  
4 to read as follows:

5 The secretary or the secretary's designee may purchase services  
6 from nonprofit agencies for the purpose of conducting home studies for  
7 legally free children who have been awaiting adoption finalization for  
8 more than ninety days. The home studies selected to be done under this  
9 section shall be for the children who have been legally free and  
10 awaiting adoption finalization the longest period of time.

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

13 (1) Within available resources, the department shall prepare a  
14 passport containing all known and available information concerning the  
15 mental, physical, health, and educational status of the child for any  
16 child who has been in a foster home for ninety consecutive days or  
17 more. The passport shall be provided to a foster parent at any  
18 placement of a child covered by this section. The department shall  
19 update the passport during the regularly scheduled court reviews  
20 required under chapter 13.34 RCW.

21 New placements after the effective date of this act shall have  
22 first priority in the preparation of passports. Within available  
23 resources, the department may prepare passports for any child in a  
24 foster home on the effective date of this act, provided that no time  
25 spent in a foster home before the effective date of this act shall be  
26 included in the computation of the ninety days.

27 (2) In addition to the requirements of subsection (1) of this  
28 section, the department shall, within available resources, notify a  
29 foster parent before placement of a child of any known health  
30 conditions that pose a serious threat to the child and any known  
31 behavioral history that presents a serious risk of harm to the child or  
32 others.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.13 RCW  
34 to read as follows:

35 The department may provide child care for all foster parents who  
36 are required to attend department-sponsored meetings or training

1 sessions. If the department does not provide such child care, the  
2 department, where feasible, shall conduct the activities covered by  
3 this section in the foster parent's home or other location acceptable  
4 to the foster parent.

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

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

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

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

25 NEW SECTION. **Sec. 8.** This act is necessary for the immediate  
26 preservation of the public peace, health, or safety, or support of the  
27 state government and its existing public institutions, and takes effect  
28 July 1, 1997."

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32 On page 1, line 1 of the title, after "care;" strike the remainder  
33 of the title and insert "amending RCW 74.13.031 and 74.13.280; adding

1 new sections to chapter 74.13 RCW; adding a new section to chapter  
2 43.20A RCW; providing an effective date; and declaring an emergency."

--- **END** ---