

2 **E2SHB 2046** - S COMM AMD

3 By Committee on Human Services & Corrections

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

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

1 crime may have been committed, the department shall notify the
2 appropriate law enforcement agency.

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

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

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

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

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

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

36 (10) Have authority to provide continued foster care or group care
37 for individuals from eighteen through twenty years of age to enable
38 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 The department shall provide a foster parent liaison position in
18 each department region. The department shall contract with a private
19 nonprofit organization to provide the foster parent liaison function.
20 The foster parent liaison shall enhance the working relationship
21 between department case workers and foster parents. The foster parent
22 liaison shall provide expedited assistance for the unique needs and
23 requirements posed by special needs foster children in out-of-home
24 care. Any contract entered into under this section for a foster parent
25 liaison shall include a requirement that the contractor substantially
26 reduce the turnover rate of foster parents in the region by an agreed
27 upon percentage. The department shall evaluate whether an organization
28 that has a contract under this section has reduced the turnover rate by
29 the agreed upon amount or more when determining whether to extend or
30 renew a contract under this section.

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

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

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

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

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

11 (1) The department shall prepare a passport containing all known
12 and available information concerning the mental, physical, legal,
13 health, and educational status of the child for any child who has been
14 in foster care for ninety consecutive days or more. The passport shall
15 be provided to a foster parent at any placement of a child covered by
16 this section. The department shall update the passport during the
17 regularly scheduled court reviews required under chapter 13.34 RCW.
18 For any child in foster care on the effective date of this act, no time
19 spent in foster care before the effective date of this act shall be
20 included in the computation of the ninety days.

21 (2) In addition to the requirements of subsection (1) of this
22 section, the department shall notify a foster parent before placement
23 of a child of any known health conditions that pose a serious threat to
24 the child and any known behavioral history that presents a serious risk
25 of harm to the child or others.

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

28 The department may provide child care for all foster parents who
29 are required to attend department-sponsored meetings or training
30 sessions. If the department does not provide such child care, the
31 department, where feasible, shall conduct the activities covered by
32 this section in the foster parent's home or other location acceptable
33 to the foster parent.

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

1 (1) Except as provided in RCW 70.24.105, whenever a child is placed
2 in out-of-home care by the department or a child-placing agency, the
3 department or agency ((may)) shall share information about the child
4 and the child's family with the care provider and ((may)) shall consult
5 with the care provider regarding the child's case plan. If the child
6 is dependent pursuant to a proceeding under chapter 13.34 RCW, the
7 department or agency shall keep the care provider informed regarding
8 the dates and location of dependency review and permanency planning
9 hearings pertaining to the child.

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

14 (3) Nothing in this section shall be construed to limit the
15 authority of the department or child-placing agencies to disclose
16 client information or to maintain client confidentiality as provided by
17 law.

18 NEW SECTION. Sec. 8. If specific funding for the purposes of this
19 act, referencing this act by section and bill or chapter number, is not
20 provided by June 30, 1997, in the omnibus appropriations act, this act
21 is null and void.

22 NEW SECTION. Sec. 9. This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and takes effect
25 July 1, 1997."

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29 On page 1, line 1 of the title, after "care;" strike the remainder
30 of the title and insert "amending RCW 74.13.031 and 74.13.280; adding
31 new sections to chapter 74.13 RCW; adding a new section to chapter
32 43.20A RCW; creating a new section; providing an effective date; and
33 declaring an emergency."

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