
HOUSE BILL 2046

State of Washington

55th Legislature

1997 Regular Session

By Representatives Cooke, Kessler and Boldt

Read first time 02/18/97. Referred to Committee on Children & Family Services.

1 AN ACT Relating to foster care; amending RCW 74.13.031; adding new
2 sections to chapter 74.13 RCW; creating a new section; providing an
3 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 foster parent liaison shall enhance the
32 working relationship between department case workers and foster
33 parents. The foster parent liaison shall provide expedited assistance
34 and reimbursement for the unique needs and requirements posed by
35 special needs foster children in out-of-home care. The foster parent
36 liaison shall reduce the turnover of foster parents by twenty percent
37 from the historical turnover rate in each region.

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

3 The department shall increase the number of adoptive and foster
4 families available to accept children through an intensive recruitment
5 program. The department shall provide an additional two hundred
6 adoptive and foster home placements by June 30, 1998.

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

9 (1) The department shall provide child-placing agencies licensed
10 under chapter 74.15 RCW a rate designed to cover eighty percent of the
11 agencies' actual costs in recruiting, training, and licensing foster
12 homes, visiting foster children, families, and birth families, case
13 management, and referral services. The department shall adopt rules
14 specifying how actual costs will be determined.

15 (2) Agencies receiving reimbursement under this section shall
16 improve their performance for children placed in their custody and care
17 by the same factor as the rate increase provided by this section. The
18 department shall adopt rules specifying the objective standards by
19 which the child care agency will be evaluated. Agencies failing to
20 meet the specified objective standards will be reimbursed for their
21 services based on the historical percent of their actual costs in
22 effect on January 1, 1997.

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

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

31 NEW SECTION. **Sec. 6.** If specific funding for the purposes of
32 sections 2 through 5 of this act, referencing this act by sections and
33 bill or chapter number, is not provided by June 30, 1997, in the
34 omnibus appropriations act, sections 2 through 5 of this act are null
35 and void.

1 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 July 1, 1997.

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