

2 SHB 1259 - S COMM AMD

3 By Committee on Human Services & Corrections

4 ADOPTED 04/05/01

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

7 "Sec. 1. RCW 74.13.031 and 1999 c 267 s 8 are each amended to read  
8 as follows:

9 The department shall have the duty to provide child welfare  
10 services 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 runaway, dependent, or neglected children.

14 (2) Within available resources, recruit an adequate number of  
15 prospective adoptive and foster homes, both regular and specialized,  
16 i.e. homes for children of ethnic minority, including Indian homes for  
17 Indian children, sibling groups, handicapped and emotionally disturbed,  
18 teens, pregnant and parenting teens, and annually report to the  
19 governor and the legislature concerning the department's success in:  
20 (a) Meeting the need for adoptive and foster home placements; (b)  
21 reducing the foster parent turnover rate; (c) completing home studies  
22 for legally free children; and (d) implementing and operating the  
23 passport program required by RCW 74.13.285. The report shall include  
24 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

25 (3) Investigate complaints of any recent act or failure to act on  
26 the part of a parent or caretaker that results in death, serious  
27 physical or emotional harm, or sexual abuse or exploitation, or that  
28 presents an imminent risk of serious harm, and on the basis of the  
29 findings of such investigation, offer child welfare services in  
30 relation to the problem to such parents, legal custodians, or persons  
31 serving in loco parentis, and/or bring the situation to the attention  
32 of an appropriate court, or another community agency: PROVIDED, That  
33 an investigation is not required of nonaccidental injuries which are  
34 clearly not the result of a lack of care or supervision by the child's  
35 parents, legal custodians, or persons serving in loco parentis. If the  
36 investigation reveals that a crime against a child may have been

1 committed, the department shall notify the appropriate law enforcement  
2 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 measuring the  
9 extent to which the department achieved the specified goals to the  
10 governor and the legislature.

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

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

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

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

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

38 (11) Have authority within funds appropriated for foster care  
39 services to purchase care for Indian children who are in the custody of

1 a federally recognized Indian tribe or tribally licensed child-placing  
2 agency pursuant to parental consent, tribal court order, or state  
3 juvenile court order; and the purchase of such care shall be subject to  
4 the same eligibility standards and rates of support applicable to other  
5 children for whom the department purchases care.

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

13 (12) Within amounts appropriated for this specific purpose, provide  
14 preventive services to families with children that prevent or shorten  
15 the duration of an out-of-home placement.

16 (13) Have authority to provide independent living services to  
17 youths, including individuals eighteen through twenty years of age, who  
18 are or have been in foster care.

19 NEW SECTION. Sec. 2. A new section is added to chapter 74.13 RCW  
20 to read as follows:

21 Independent living services include assistance in achieving basic  
22 educational requirements such as a GED, enrollment in vocational and  
23 technical training programs offered at the community and vocational  
24 colleges, and obtaining and maintaining employment; and accomplishing  
25 basic life skills such as money management, nutrition, preparing meals,  
26 and cleaning house. A baseline skill level in ability to function  
27 productively and independently shall be determined at entry.  
28 Performance shall be measured and must demonstrate improvement from  
29 involvement in the program. Each recipient shall have a plan for  
30 achieving independent living skills by the time the recipient reaches  
31 age twenty-one. The plan shall be written within the first thirty days  
32 of placement and reviewed every ninety days. A recipient who fails to  
33 consistently adhere to the elements of the plan shall be subject to  
34 reassessment by the professional staff of the program and may be  
35 declared ineligible to receive services."

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4 On page 1, line 2 of the title, after "care;" strike the remainder  
5 of the title and insert "amending RCW 74.13.031; and adding a new  
6 section to chapter 74.13 RCW."

EFFECT: Describes what independent living services are and  
provides for program and recipient accountability.

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