
SUBSTITUTE HOUSE BILL 1965

State of Washington

62nd Legislature

2011 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Kagi, Jenkins, Frockt, and Kenney)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to public and private partnership in addressing
2 adverse childhood experiences; amending RCW 13.40.462, 43.121.100,
3 43.215.146, 43.215.147, 43.70.555, 74.14A.060, and 74.14C.050; adding
4 a new chapter to Title 70 RCW; repealing RCW 43.121.010, 43.121.015,
5 43.121.020, 43.121.030, 43.121.040, 43.121.050, 43.121.060, 43.121.070,
6 43.121.080, 43.121.110, 43.121.120, 43.121.130, 43.121.140, 43.121.150,
7 43.121.160, 43.121.910, 70.190.005, 70.190.010, 70.190.020, 70.190.040,
8 70.190.100, 70.190.110, 70.190.120, 70.190.130, 70.190.150, and
9 70.190.920; and providing effective dates.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

11 NEW SECTION. **Sec. 1.** The legislature finds that adverse childhood
12 experiences are a powerful common determinate of a child's ability as
13 an adult to be safe, successful at school, successful at work, and to
14 avoid behavioral and chronic physical health conditions. The purpose
15 of this chapter is, through a new or existing public-private
16 partnership and in collaboration with community leadership, to identify
17 the primary causes of adverse childhood experiences in communities and
18 to mobilize broad public and private support to prevent harm to young
19 children. A reduction in adverse childhood experiences is sought

1 through a focused effort to identify and utilize evidence-based and
2 research-based approaches and practices for prevention and intervention
3 for children who are at risk of adverse experiences in early childhood.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Department" means the department of social and health
7 services.

8 (2) "Evidence-based" has the same meaning as in RCW 43.215.146.

9 (3) "Research-based" has the same meaning as in RCW 43.215.146.

10 (4) "Secretary" means the secretary of social and health services.

11 NEW SECTION. **Sec. 3.** (1) The nongovernmental private-public
12 partnership described in section 1 of this act shall focus on
13 preventing and reducing the prevalence of adverse childhood experiences
14 and their enduring effects. The private-public partnership shall
15 support the interests of selected community-based organizations around
16 this common goal. It is recognized that many community networks across
17 the state have knowledge and expertise regarding reduction of adverse
18 childhood experiences and will provide leadership on this initiative in
19 their communities. In addition, a broad range of community coalitions
20 involved with early learning and other early childhood initiatives have
21 coalesced in many communities. The intent of the private-public
22 partnership is to coordinate and assemble the strongest components of
23 these networks and coalitions to respond to the initiative of reducing
24 and preventing adverse childhood experiences while providing the
25 flexibility for communities to devise their own strategies and
26 approaches to achieve prevention and reduction.

27 (2) The private-public partnership shall establish criteria for
28 distributing funds to community organizations based upon research and
29 data with demonstrated effectiveness in preventing and reducing adverse
30 childhood experiences. When establishing criteria to distribute funds,
31 the private-public partnership shall give great weight to community
32 health and safety networks that have a history of providing training
33 and services related to adverse childhood experiences. The method for
34 distributing funds must be based upon data indicating areas of need and
35 the use of evidence-based and research-based strategies to address
36 those needs.

1 (3) In addition to other powers granted to the secretary, the
2 secretary may:

3 (a) Enter into contracts on behalf of the department to carry out
4 the purposes of this chapter;

5 (b) Provide funding to the private-public partnerships; and

6 (c) Accept gifts, grants, or other funds for the purposes of this
7 chapter.

8 **Sec. 4.** RCW 13.40.462 and 2006 c 304 s 2 are each amended to read
9 as follows:

10 (1) The department of social and health services juvenile
11 rehabilitation administration shall establish a reinvesting in youth
12 program that awards grants to counties for implementing research-based
13 early intervention services that target juvenile justice-involved youth
14 and reduce crime, subject to the availability of amounts appropriated
15 for this specific purpose.

16 (2) Effective July 1, 2007, any county or group of counties may
17 apply for participation in the reinvesting in youth program.

18 (3) Counties that participate in the reinvesting in youth program
19 shall have a portion of their costs of serving youth through the
20 research-based intervention service models paid for with moneys from
21 the reinvesting in youth account established pursuant to RCW 13.40.466.

22 (4) The department of social and health services juvenile
23 rehabilitation administration shall review county applications for
24 funding through the reinvesting in youth program and shall select the
25 counties that will be awarded grants with funds appropriated to
26 implement this program. The department, in consultation with the
27 Washington state institute for public policy, shall develop guidelines
28 to determine which counties will be awarded funding in accordance with
29 the reinvesting in youth program. At a minimum, counties must meet the
30 following criteria in order to participate in the reinvesting in youth
31 program:

32 (a) Counties must match state moneys awarded for research-based
33 early intervention services with nonstate resources that are at least
34 proportional to the expected local government share of state and local
35 government cost avoidance that would result from the implementation of
36 such services;

1 (b) Counties must demonstrate that state funds allocated pursuant
2 to this section are used only for the intervention service models
3 authorized pursuant to RCW 13.40.464;

4 (c) Counties must participate fully in the state quality assurance
5 program established in RCW 13.40.468 to ensure fidelity of program
6 implementation. If no state quality assurance program is in effect for
7 a particular selected research-based service, the county must submit a
8 quality assurance plan for state approval with its grant application.
9 Failure to demonstrate continuing compliance with quality assurance
10 plans shall be grounds for termination of state funding; and

11 (d) Counties that submit joint applications must submit for
12 approval by the department of social and health services juvenile
13 rehabilitation administration multicounty plans for efficient program
14 delivery.

15 ~~((5) The department of social and health services juvenile
16 rehabilitation administration shall convene a technical advisory
17 committee comprised of representatives from the house of
18 representatives, the senate, the governor's office of financial
19 management, the department of social and health services juvenile
20 rehabilitation administration, the family policy council, the juvenile
21 court administrator's association, and the Washington association of
22 counties to assist in the implementation of chapter 304, Laws of
23 2006.))~~

24 **Sec. 5.** RCW 43.121.100 and 2005 c 53 s 4 are each amended to read
25 as follows:

26 ~~((The council may accept))~~ Contributions, grants, or gifts in cash
27 or otherwise, including funds generated by the sale of "heirloom" birth
28 certificates under chapter 70.58 RCW from persons, associations, or
29 corporations and funds generated through the issuance of the "Keep Kids
30 Safe" license plate under chapter ~~((46.16))~~ 46.18 RCW~~((All moneys
31 received by the council or any employee thereof from contributions,
32 grants, or gifts))~~ and not funds through appropriation by the
33 legislature shall be deposited in a depository approved by the state
34 treasurer to be known as the children's trust fund. Disbursements of
35 such funds shall be on the authorization of the ~~((council or a duly
36 authorized representative thereof and only for the purposes stated in
37 RCW 43.121.050))~~ director of the department of early learning. In

1 order to maintain an effective expenditure and revenue control, such
2 funds shall be subject in all respects to chapter 43.88 RCW, but no
3 appropriation shall be required to permit expenditure of such funds.

4 **Sec. 6.** RCW 43.215.146 and 2007 c 466 s 2 are each amended to read
5 as follows:

6 The definitions in this section apply throughout this section and
7 RCW ~~((43.121.170 through))~~ 43.215.145, 43.215.147, and 43.121.185
8 unless the context clearly requires otherwise.

9 (1) "Evidence-based" means a program or practice that has had
10 multiple site random controlled trials across heterogeneous populations
11 demonstrating that the program or practice is effective for the
12 population.

13 (2) "Home visitation" means providing services in the permanent or
14 temporary residence, or in other familiar surroundings, of the family
15 receiving such services.

16 (3) "Research-based" means a program or practice that has some
17 research demonstrating effectiveness, but that does not yet meet the
18 standard of evidence-based practices.

19 **Sec. 7.** RCW 43.215.147 and 2008 c 152 s 6 are each amended to read
20 as follows:

21 (1) Within available funds, the ~~((council for children and~~
22 ~~families))~~ department shall fund evidence-based and research-based home
23 visitation programs for improving parenting skills and outcomes for
24 children. Home visitation programs must be voluntary and must address
25 the needs of families to alleviate the effect on child development of
26 factors such as poverty, single parenthood, parental unemployment or
27 underemployment, parental disability, or parental lack of high school
28 diploma, which research shows are risk factors for child abuse and
29 neglect and poor educational outcomes.

30 (2) The ~~((council for children and families shall develop a plan))~~
31 department shall work with the department of social and health
32 services, the department of health~~((, the department of early learning,~~
33 ~~and the family policy council))~~, the private-public partnership created
34 in RCW 43.215.070, and key partners and stakeholders to develop a plan
35 to coordinate or consolidate home visitation services for children and

1 families (~~and report to the appropriate committees of the legislature~~
2 ~~by December 1, 2007, with their recommendations for implementation of~~
3 ~~the plan~~) to the extent practicable.

4 **Sec. 8.** RCW 43.70.555 and 1998 c 245 s 77 are each amended to read
5 as follows:

6 The department(~~(, in consultation with the family policy council~~
7 ~~created in chapter 70.190 RCW,)) shall establish, by rule, standards
8 for local health departments and networks to use in assessment,
9 performance measurement, policy development, and assurance regarding
10 social development to prevent health problems caused by risk factors
11 empirically linked to: Violent criminal acts by juveniles, teen
12 substance abuse, teen pregnancy and male parentage, teen suicide
13 attempts, dropping out of school, child abuse or neglect, and domestic
14 violence. The standards shall be based on the standards set forth in
15 the public health services improvement plan as required by RCW
16 43.70.550.~~

17 **Sec. 9.** RCW 74.14A.060 and 2000 c 219 s 2 are each amended to read
18 as follows:

19 The secretary of the department of social and health services shall
20 charge appropriated funds to support blended funding projects for youth
21 subject to any current or future waiver the department receives to the
22 requirements of IV-E funding. To be eligible for blended funding a
23 child must be eligible for services designed to address a behavioral,
24 mental, emotional, or substance abuse issue from the department of
25 social and health services and require services from more than one
26 categorical service delivery system. Before any blended funding
27 project is established by the secretary, any entity or person proposing
28 the project shall seek input from the public health and safety network
29 or networks established in the catchment area of the project. The
30 network or networks shall submit recommendations on the blended funding
31 project to the (~~family policy council~~) private-public partnership
32 described in section 1 of this act. The (~~family policy council~~)
33 private-public partnership shall advise the secretary whether to
34 approve the proposed blended funding project. The network shall review
35 the proposed blended funding project pursuant to its authority to
36 examine the decategorization of program funds under RCW 70.190.110,

1 within the current appropriation level. The department shall document
2 the number of children who participate in blended funding projects, the
3 total blended funding amounts per child, the amount charged to each
4 appropriation by program, and services provided to each child through
5 each blended funding project and report this information to the
6 appropriate committees of the legislature by December 1st of each year,
7 beginning in December 1, 2000.

8 **Sec. 10.** RCW 74.14C.050 and 1995 c 311 s 9 are each amended to
9 read as follows:

10 By December 1, 1995, the department, with the assistance of ((~~the~~
11 ~~family policy council,~~)) two urban and two rural public health and
12 safety networks to be chosen by the ((~~family policy council,~~))
13 secretary and two private, nonprofit agencies with expertise and
14 experience in preservation services, shall submit to the legislature an
15 implementation and evaluation plan that identifies:

16 (1) A valid and reliable process that can be used by caseworkers
17 for accurately identifying clients who are eligible for intensive
18 family preservation services and family preservation services. The
19 plan shall recognize the due process rights of families that receive
20 preservation services and recognize that family preservation services
21 are not intended to be investigative for purposes of chapter 13.34 RCW;

22 (2) Necessary data by which program success will be measured,
23 projections of service needs, budget requests, and long-range planning;

24 (3) Regional and statewide projections of service needs;

25 (4) A cost estimate for statewide implementation and expansion of
26 preservation services on a phased-in basis beginning no later than July
27 1, 1996;

28 (5) A plan and time frame for phased-in implementation of
29 preservation services on a statewide basis to be accomplished as soon
30 as possible but no later than July 1, 1997;

31 (6) Data regarding the number of children in foster care, group
32 care, institutional placements, and other out-of-home placements due to
33 medical needs, mental health needs, developmental disabilities, and
34 juvenile offenses, and an assessment of the feasibility of providing
35 preservation services to include all of these children;

36 (7) Standards and outcome measures for the department when the
37 department provides preservation services directly; and

1 (8) A process to assess outcome measures identified in RCW
2 74.14C.030 for contractors providing preservation services.

3 NEW SECTION. **Sec. 11.** The following acts or parts of acts, as now
4 existing or hereafter amended, are each repealed, effective June 30,
5 2012:

6 (1) RCW 43.121.010 (Legislative declaration, intent) and 1982 c 4
7 s 1;

8 (2) RCW 43.121.015 (Definitions) and 2008 c 152 s 8, 1988 c 278 s
9 4, & 1987 c 351 s 2;

10 (3) RCW 43.121.020 (Council established--Members, chairperson--
11 Appointment, qualifications, terms, vacancies) and 2008 c 152 s 7, 2007
12 c 144 s 1, 1996 c 10 s 1, 1994 c 48 s 1, 1989 c 304 s 4, 1987 c 351 s
13 3, 1984 c 261 s 1, & 1982 c 4 s 2;

14 (4) RCW 43.121.030 (Compensation and travel expenses of members)
15 and 1984 c 287 s 87 & 1982 c 4 s 3;

16 (5) RCW 43.121.040 (Executive director, salary--Staff) and 1982 c
17 4 s 4;

18 (6) RCW 43.121.050 (Council powers and duties--Generally--Rules)
19 and 1988 c 278 s 5, 1987 c 351 s 4, & 1982 c 4 s 5;

20 (7) RCW 43.121.060 (Contracts for services--Scope of programs--
21 Funding) and 1982 c 4 s 6;

22 (8) RCW 43.121.070 (Contracts for services--Factors in awarding)
23 and 1982 c 4 s 7;

24 (9) RCW 43.121.080 (Contracts for services--Partial funding by
25 administering organization, what constitutes) and 1982 c 4 s 8;

26 (10) RCW 43.121.110 (Parenting skills--Legislative findings) and
27 1988 c 278 s 1;

28 (11) RCW 43.121.120 (Community-based early parenting skills
29 programs--Funding) and 1988 c 278 s 2;

30 (12) RCW 43.121.130 (Decreased state funding of parenting skills
31 programs--Evaluation) and 1998 c 245 s 48 & 1988 c 278 s 3;

32 (13) RCW 43.121.140 (Shaken baby syndrome--Outreach campaign) and
33 1993 c 107 s 2;

34 (14) RCW 43.121.150 (Juvenile crime--Legislative findings) and 1997
35 c 338 s 56;

36 (15) RCW 43.121.160 (Postpartum depression--Public information and
37 communication outreach campaign) and 2005 c 347 s 2; and

1 (16) RCW 43.121.910 (Severability--1982 c 4) and 1982 c 4 s 15.

2 NEW SECTION. **Sec. 12.** The following acts or parts of acts, as now
3 existing or hereafter amended, are each repealed, effective June 30,
4 2012:

5 (1) RCW 70.190.005 (Purpose) and 1994 sp.s. c 7 s 301 & 1992 c 198
6 s 1;

7 (2) RCW 70.190.010 (Definitions) and 2009 c 565 s 52, 2009 c 479 s
8 58, 1996 c 132 s 2, 1995 c 399 s 200, & 1992 c 198 s 3;

9 (3) RCW 70.190.020 (Consolidate efforts of existing entities) and
10 1994 sp.s. c 7 s 315 & 1992 c 198 s 4;

11 (4) RCW 70.190.040 (Finding--Grants to improve readiness to learn)
12 and 1993 c 336 s 901;

13 (5) RCW 70.190.100 (Duties of council) and 2009 c 479 s 59, 1998 c
14 245 s 123, & 1994 sp.s. c 7 s 307;

15 (6) RCW 70.190.110 (Program review) and 1998 c 245 s 124 & 1994
16 sp.s. c 7 s 308;

17 (7) RCW 70.190.120 (Interagency agreement) and 1994 sp.s. c 7 s
18 309;

19 (8) RCW 70.190.130 (Comprehensive plan--Approval process--Network
20 expenditures--Penalty for noncompliance with chapter) and 1998 c 314 s
21 13, 1996 c 132 s 8, & 1994 sp.s. c 7 s 310;

22 (9) RCW 70.190.150 (Federal restrictions on funds transfers,
23 waivers) and 1994 sp.s. c 7 s 312; and

24 (10) RCW 70.190.920 (Effective date--1992 c 198) and 1992 c 198 s
25 21.

26 NEW SECTION. **Sec. 13.** After December 31, 2012, the lead agency
27 for the children's trust fund, as established in RCW 43.121.100, and
28 the community-based child abuse and prevention fund is the department
29 of early learning.

30 NEW SECTION. **Sec. 14.** Sections 1 through 3 and 13 of this act
31 constitute a new chapter in Title 70 RCW.

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