

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1965

62nd Legislature
2011 1st Special Session

Passed by the House May 23, 2011
Yeas 74 Nays 21

Speaker of the House of Representatives

Passed by the Senate May 22, 2011
Yeas 34 Nays 13

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1965** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1965

AS AMENDED BY THE SENATE

Passed Legislature - 2011 1st Special Session

State of Washington 62nd Legislature 2011 1st Special Session

By House Ways & Means (originally sponsored by Representatives Kagi, Jinkins, Frockt, and Kenney)

READ FIRST TIME 04/01/11.

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 70.190.040; adding
4 a new section to chapter 28A.300 RCW; adding a new chapter to Title 70
5 RCW; creating a new section; recodifying RCW 70.190.040; repealing RCW
6 43.121.010, 43.121.015, 43.121.020, 43.121.030, 43.121.040, 43.121.050,
7 43.121.060, 43.121.070, 43.121.080, 43.121.110, 43.121.120, 43.121.130,
8 43.121.140, 43.121.150, 43.121.160, 43.121.185, 43.121.910, 70.190.005,
9 70.190.010, 70.190.020, 70.190.100, 70.190.110, 70.190.120, 70.190.130,
10 70.190.150, 70.190.920, and 74.14C.050; and providing effective dates.

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

12 NEW SECTION. **Sec. 1.** The legislature finds that adverse childhood
13 experiences are a powerful common determinant of a child's ability to
14 be successful at school and, as an adult, to be successful at work, to
15 avoid behavioral and chronic physical health conditions, and to build
16 healthy relationships. The purpose of this chapter is to identify the
17 primary causes of adverse childhood experiences in communities and to
18 mobilize broad public and private support to prevent harm to young
19 children and reduce the accumulated harm of adverse experiences

1 throughout childhood. A focused effort is needed to: (1) Identify and
2 promote the use of innovative strategies based on evidence-based and
3 research-based approaches and practices; and (2) align public and
4 private policies and funding with approaches and strategies which have
5 demonstrated effectiveness.

6 The legislature recognizes that many community public health and
7 safety networks across the state have knowledge and expertise regarding
8 the reduction of adverse childhood experiences and can provide
9 leadership on this initiative in their communities. In addition, a
10 broad range of community coalitions involved with early learning, child
11 abuse prevention, and community mobilization have coalesced in many
12 communities. The adverse childhood experiences initiative should
13 coordinate and assemble the strongest components of these networks and
14 coalitions to effectively respond to the challenge of reducing and
15 preventing adverse childhood experiences while providing flexibility
16 for communities to design responses that are appropriate for their
17 community.

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

20 (1) "Adverse childhood experiences" means the following indicators
21 of severe childhood stressors and family dysfunction that, when
22 experienced in the first eighteen years of life and taken together, are
23 proven by public health research to be powerful determinants of
24 physical, mental, social, and behavioral health across the lifespan:
25 Child physical abuse; child sexual abuse; child emotional abuse; child
26 emotional or physical neglect; alcohol or other substance abuse in the
27 home; mental illness, depression, or suicidal behaviors in the home;
28 incarceration of a family member; witnessing intimate partner violence;
29 and parental divorce or separation. Adverse childhood experiences have
30 been demonstrated to affect the development of the brain and other
31 major body systems.

32 (2) "Community public health and safety networks" or "networks"
33 means the organizations authorized under RCW 70.190.060.

34 (3) "Department" means the department of social and health
35 services.

36 (4) "Director" means the director of the department of early
37 learning.

- 1 (5) "Evidence-based" has the same meaning as in RCW 43.215.146.
2 (6) "Research-based" has the same meaning as in RCW 43.215.146.
3 (7) "Secretary" means the secretary of social and health services.

4 NEW SECTION. **Sec. 3.** (1)(a) The secretary of the department of
5 social and health services and the director of the department of early
6 learning shall actively participate in the development of a
7 nongovernmental private-public initiative focused on coordinating
8 government and philanthropic organizations' investments in the positive
9 development of children and preventing and mitigating the effects of
10 adverse childhood experiences. The secretary and director shall
11 convene a planning group to work with interested private partners to:
12 (i) Develop a process by which the goals identified in section 1 of
13 this act shall be met; and (ii) develop recommendations for inclusive
14 and diverse governance to advance the adverse childhood experiences
15 initiative.

16 (b) The secretary and director shall select no more than twelve to
17 fifteen persons as members of the planning group. The members selected
18 must represent a diversity of interests including: Early learning
19 coalitions, community public health and safety networks, organizations
20 that work to prevent and address child abuse and neglect, tribes,
21 representatives of public agency agencies involved with interventions
22 in or prevention of adverse childhood experiences, philanthropic
23 organizations, and organizations focused on community mobilization.

24 (c) The secretary and director shall cochair the planning group
25 meetings and shall convene the first meeting.

26 (2) The planning group shall submit a report on its progress and
27 recommendations to the appropriate legislative committees no later than
28 December 15, 2011.

29 (3) In addition to other powers granted to the secretary, the
30 secretary may:

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

33 (b) Provide funding to communities or any governance entity that is
34 created as a result of the partnership; and

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

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

3 (1) The department of social and health services juvenile
4 rehabilitation administration shall establish a reinvesting in youth
5 program that awards grants to counties for implementing research-based
6 early intervention services that target juvenile justice-involved youth
7 and reduce crime, subject to the availability of amounts appropriated
8 for this specific purpose.

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

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

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

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

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

33 (c) Counties must participate fully in the state quality assurance
34 program established in RCW 13.40.468 to ensure fidelity of program
35 implementation. If no state quality assurance program is in effect for
36 a particular selected research-based service, the county must submit a
37 quality assurance plan for state approval with its grant application.

1 Failure to demonstrate continuing compliance with quality assurance
2 plans shall be grounds for termination of state funding; and

3 (d) Counties that submit joint applications must submit for
4 approval by the department of social and health services juvenile
5 rehabilitation administration multicounty plans for efficient program
6 delivery.

7 ~~((5) The department of social and health services juvenile
8 rehabilitation administration shall convene a technical advisory
9 committee comprised of representatives from the house of
10 representatives, the senate, the governor's office of financial
11 management, the department of social and health services juvenile
12 rehabilitation administration, the family policy council, the juvenile
13 court administrator's association, and the Washington association of
14 counties to assist in the implementation of chapter 304, Laws of
15 2006.))~~

16 **Sec. 5.** RCW 43.121.100 and 2011 c 171 s 9 are each amended to read
17 as follows:

18 ~~((The council may accept))~~ Contributions, grants, or gifts in cash
19 or otherwise, including funds generated by the sale of "heirloom" birth
20 certificates under chapter 70.58 RCW from persons, associations, or
21 corporations and funds generated through the issuance of the "Keep Kids
22 Safe" license plate under chapter 46.18 RCW~~((All moneys received by
23 the council or any employee thereof from contributions, grants, or
24 gifts and not through appropriation by the legislature))~~, shall be
25 deposited in a depository approved by the state treasurer to be known
26 as the children's trust fund. Disbursements of such funds shall be on
27 the authorization of the ~~((council or a duly authorized representative
28 thereof and only for the purposes stated in RCW 43.121.050))~~ director
29 of the department of early learning beginning July 1, 2012. In order
30 to maintain an effective expenditure and revenue control, such funds
31 shall be subject in all respects to chapter 43.88 RCW, but no
32 appropriation shall be required to permit expenditure of such funds.

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

35 The definitions in this section apply throughout this section and

1 RCW ((43.121.170 through)) 43.215.145, 43.215.147, and 43.121.185
2 unless the context clearly requires otherwise.

3 (1) "Evidence-based" means a program or practice that has had
4 multiple site random controlled trials across heterogeneous populations
5 demonstrating that the program or practice is effective for the
6 population.

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

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

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

15 (1) Within available funds, the ((council for children and
16 families)) department shall fund evidence-based and research-based home
17 visitation programs for improving parenting skills and outcomes for
18 children. Home visitation programs must be voluntary and must address
19 the needs of families to alleviate the effect on child development of
20 factors such as poverty, single parenthood, parental unemployment or
21 underemployment, parental disability, or parental lack of high school
22 diploma, which research shows are risk factors for child abuse and
23 neglect and poor educational outcomes. In order to maximize
24 opportunities to obtain matching funds from private entities, general
25 funds intended to support home visiting funding shall be appropriated
26 to the home visiting services account established in RCW 43.215.130.

27 (2) The ((council for children and families shall develop a plan))
28 department shall work with the department of social and health
29 services, the department of health((, the department of early learning,
30 and the family policy council)), the private-public partnership created
31 in RCW 43.215.070, and key partners and stakeholders to develop a plan
32 to coordinate or consolidate home visitation services for children and
33 families ((and report to the appropriate committees of the legislature
34 by December 1, 2007, with their recommendations for implementation of
35 the plan)) to the extent practicable.

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

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

14 NEW SECTION. **Sec. 9.** (1) Beginning July 1, 2011, the council for
15 children and families and the department of early learning shall
16 develop a plan for transitioning the work of the council for children
17 and families, including public awareness campaigns, to the department
18 of early learning. The council for children and families and the
19 department of early learning shall participate in the development of
20 the private-public initiative in order to streamline efforts around the
21 prevention of child abuse and neglect and avoid duplication of effort.

22 (2) The executive director of the council for children and families
23 and the director of the department of early learning shall consult with
24 the planning group convened in section 3 of this act to develop
25 strategies to maximize Washington's leverage and match of federal child
26 abuse and neglect prevention moneys.

27 (3) No later than January 1, 2012, the council for children and
28 families and the department of early learning shall report to the
29 appropriate committees of the legislature on its transition plan.

30 **Sec. 10.** RCW 74.14A.060 and 2000 c 219 s 2 are each amended to
31 read as follows:

32 Within available funds, the secretary of the department of social
33 and health services shall (~~charge appropriated funds to~~) support
34 blended funding projects for youth (~~subject to any current or future~~
35 ~~waiver the department receives to the requirements of IV-E funding~~).
36 To be eligible for blended funding a child must be eligible for

1 services designed to address a behavioral, mental, emotional, or
2 substance abuse issue from the department of social and health services
3 and require services from more than one categorical service delivery
4 system. Before any blended funding project is established by the
5 secretary, any entity or person proposing the project shall seek input
6 from the public health and safety network or networks established in
7 the catchment area of the project. The network or networks shall
8 submit recommendations on the blended funding project to the (~~family
9 policy council~~) private-public initiative described in section 3 of
10 this act. The (~~family policy council~~) private-public initiative
11 shall advise the secretary whether to approve the proposed blended
12 funding project. The network shall review the proposed blended funding
13 project pursuant to its authority to examine the decategorization of
14 program funds under RCW 70.190.110, within the current appropriation
15 level. The department shall document the number of children who
16 participate in blended funding projects, the total blended funding
17 amounts per child, the amount charged to each appropriation by program,
18 and services provided to each child through each blended funding
19 project and report this information to the appropriate committees of
20 the legislature by December 1st of each year, beginning in December 1,
21 2000.

22 **Sec. 11.** RCW 70.190.040 and 1993 c 336 s 901 are each amended to
23 read as follows:

24 (1) The legislature finds that helping children to arrive at school
25 ready to learn is an important part of improving student learning.

26 (2) To the extent funds are appropriated, the (~~family policy
27 council~~) superintendent of public instruction shall award grants to
28 community-based consortiums that submit comprehensive plans that
29 include strategies to improve readiness to learn.

30 NEW SECTION. **Sec. 12.** The following acts or parts of acts, as now
31 existing or hereafter amended, are each repealed, effective June 30,
32 2012:

33 (1) RCW 43.121.010 (Legislative declaration, intent) and 1982 c 4
34 s 1;

35 (2) RCW 43.121.015 (Definitions) and 2008 c 152 s 8, 1988 c 278 s
36 4, & 1987 c 351 s 2;

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

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

7 (5) RCW 43.121.040 (Executive director, salary--Staff) and 1982 c
8 4 s 4;

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

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

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

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

17 (10) RCW 43.121.110 (Parenting skills--Legislative findings) and
18 1988 c 278 s 1;

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

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

23 (13) RCW 43.121.140 (Shaken baby syndrome--Outreach campaign) and
24 1993 c 107 s 2;

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

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

29 (16) RCW 43.121.185 (Children's trust of Washington renamed) and
30 2008 c 152 s 5 & 2007 c 466 s 4; and

31 (17) RCW 43.121.910 (Severability--1982 c 4) and 1982 c 4 s 15.

32 NEW SECTION. **Sec. 13.** The following acts or parts of acts, as now
33 existing or hereafter amended, are each repealed, effective June 30,
34 2012:

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

- 1 (2) RCW 70.190.010 (Definitions) and 2009 c 565 s 52, 2009 c 479 s
2 58, 1996 c 132 s 2, 1995 c 399 s 200, & 1992 c 198 s 3;
3 (3) RCW 70.190.020 (Consolidate efforts of existing entities) and
4 1994 sp.s. c 7 s 315 & 1992 c 198 s 4;
5 (4) RCW 70.190.100 (Duties of council) and 2009 c 479 s 59, 1998 c
6 245 s 123, & 1994 sp.s. c 7 s 307;
7 (5) RCW 70.190.110 (Program review) and 1998 c 245 s 124 & 1994
8 sp.s. c 7 s 308;
9 (6) RCW 70.190.120 (Interagency agreement) and 1994 sp.s. c 7 s
10 309;
11 (7) RCW 70.190.130 (Comprehensive plan--Approval process--Network
12 expenditures--Penalty for noncompliance with chapter) and 1998 c 314 s
13 13, 1996 c 132 s 8, & 1994 sp.s. c 7 s 310;
14 (8) RCW 70.190.150 (Federal restrictions on funds transfers,
15 waivers) and 1994 sp.s. c 7 s 312; and
16 (9) RCW 70.190.920 (Effective date--1992 c 198) and 1992 c 198 s
17 21.

18 NEW SECTION. **Sec. 14.** RCW 74.14C.050 (Implementation and
19 evaluation plan) and 1995 c 311 s 9 & 1992 c 214 s 6 are each repealed.

20 NEW SECTION. **Sec. 15.** RCW 70.190.040 is recodified as a section
21 in chapter 28A.300 RCW.

22 NEW SECTION. **Sec. 16.** Sections 1 through 3 of this act constitute
23 a new chapter in Title 70 RCW.

24 NEW SECTION. **Sec. 17.** Section 5 of this act takes effect July 1,
25 2012.

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