

EHB 2008 - S AMD 950
By Senator Frockt

ADOPTED 03/07/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 NEW SECTION. **Sec. 1.** The legislature finds that effective
4 planning for and implementation of core state services for children
5 requires predictability and stability in the budgeting process for
6 these services. For these reasons, the legislature intends that costs
7 for behavioral rehabilitation services, child protective services
8 staff, and contracted visitation services be included in the state
9 budgeting process at maintenance level. By implementing consistent
10 statewide assessments, forecasting program caseloads, and
11 incorporating forecast-based program costs into the maintenance level
12 budget, the state can ensure predictable funding levels for this
13 program.

14 NEW SECTION. **Sec. 2.** (1) The children and families services
15 program of the department of social and health services through June
16 30, 2018, and of the department of children, youth, and families
17 effective July 1, 2018, shall facilitate a stakeholder work group in
18 a collaborative effort to design a behavioral rehabilitation services
19 rate payment methodology that is based on actual provider costs of
20 care. The work group may consider the findings of a contracted rate
21 analysis in designing the methodology. By November 30, 2018, and in
22 compliance with RCW 43.01.036, the department of children, youth, and
23 families must submit a report with the final work group findings and
24 recommendations to the appropriate legislative committees.

25 (2) This section expires December 31, 2018.

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

28 The office of innovation, alignment, and accountability must
29 develop a single validated tool to assess the care needs of foster
30 children. Once the validated tool is available for use on a statewide
31 basis, the department of children, youth, and families must use the

1 tool for assessing the care needs of foster children, including but
2 not limited to whether the department should provide foster children
3 with behavioral rehabilitation services. The department must notify
4 the caseload forecast council, the office of financial management,
5 and the appropriate fiscal committees of the legislature when it
6 begins statewide use of the validated tool.

7 **Sec. 4.** RCW 43.88C.010 and 2015 c 128 s 2 are each amended to
8 read as follows:

9 (1) The caseload forecast council is hereby created. The council
10 shall consist of two individuals appointed by the governor and four
11 individuals, one of whom is appointed by the chairperson of each of
12 the two largest political caucuses in the senate and house of
13 representatives. The chair of the council shall be selected from
14 among the four caucus appointees. The council may select such other
15 officers as the members deem necessary.

16 (2) The council shall employ a caseload forecast supervisor to
17 supervise the preparation of all caseload forecasts. As used in this
18 chapter, "supervisor" means the caseload forecast supervisor.

19 (3) Approval by an affirmative vote of at least five members of
20 the council is required for any decisions regarding employment of the
21 supervisor. Employment of the supervisor shall terminate after each
22 term of three years. At the end of the first year of each three-year
23 term the council shall consider extension of the supervisor's term by
24 one year. The council may fix the compensation of the supervisor. The
25 supervisor shall employ staff sufficient to accomplish the purposes
26 of this section.

27 (4) The caseload forecast council shall oversee the preparation
28 of and approve, by an affirmative vote of at least four members, the
29 official state caseload forecasts prepared under RCW 43.88C.020. If
30 the council is unable to approve a forecast before a date required in
31 RCW 43.88C.020, the supervisor shall submit the forecast without
32 approval and the forecast shall have the same effect as if approved
33 by the council.

34 (5) A councilmember who does not cast an affirmative vote for
35 approval of the official caseload forecast may request, and the
36 supervisor shall provide, an alternative forecast based on
37 assumptions specified by the member.

38 (6) Members of the caseload forecast council shall serve without
39 additional compensation but shall be reimbursed for travel expenses

1 in accordance with RCW 44.04.120 while attending sessions of the
2 council or on official business authorized by the council.
3 Nonlegislative members of the council shall be reimbursed for travel
4 expenses in accordance with RCW 43.03.050 and 43.03.060.

5 (7) "Caseload," as used in this chapter, means:

6 (a) The number of persons expected to meet entitlement
7 requirements and require the services of public assistance programs,
8 state correctional institutions, state correctional noninstitutional
9 supervision, state institutions for juvenile offenders, the common
10 school system, long-term care, medical assistance, foster care, and
11 adoption support;

12 (b) The number of students who are eligible for the Washington
13 college bound scholarship program and are expected to attend an
14 institution of higher education as defined in RCW 28B.92.030;

15 (c) The number of children who are eligible, as defined in RCW
16 (~~43.215.405~~) 43.216.505, to participate in, and the number of
17 children actually served by, the early childhood education and
18 assistance program.

19 (8) The caseload forecast council shall forecast the temporary
20 assistance for needy families and the working connections child care
21 programs as a courtesy.

22 (9) The caseload forecast council shall forecast youth
23 participating in the extended foster care program pursuant to RCW
24 74.13.031 separately from other children who are residing in foster
25 care and who are under eighteen years of age.

26 (10) The caseload forecast council shall forecast the number of
27 youth expected to receive behavioral rehabilitation services while
28 involved in the foster care system and the number of screened in
29 reports of child abuse or neglect.

30 (11) Unless the context clearly requires otherwise, the
31 definitions provided in RCW 43.88.020 apply to this chapter.

32 NEW SECTION. Sec. 5. A new section is added to chapter 43.88
33 RCW to read as follows:

34 For the purposes of this chapter, expenditures for the following
35 foster care, adoption support and related services, and child
36 protective services must be forecasted and budgeted as maintenance
37 level costs:

38 (1) Behavioral rehabilitation services placements;

1 (2) Social worker and related staff to receive, refer, and
2 respond to screened-in reports of child abuse or neglect;

3 (3) Court-ordered parent-child and sibling visitations delivered
4 by contractors; and

5 (4) Those activities currently being treated as maintenance level
6 costs for budgeting or forecasting purposes on the effective date of
7 this section including, but not limited to: (a) Adoption support and
8 other adoption-related expenses; (b) foster care maintenance
9 payments; (c) child-placing agency management fees; (d) support goods
10 such as clothing vouchers; (e) child aides; and (f) child care for
11 children in foster or relative placements when the caregiver is at
12 work or in school.

13 NEW SECTION. **Sec. 6.** (1) No later than December 1, 2020, the
14 department of children, youth, and families shall report to the
15 appropriate committees of the legislature on the actual and projected
16 funding levels in fiscal years 2019 through 2021 for section 5 (1)
17 through (3) of this act and compare them to expenditures prior to
18 inclusion in the maintenance level forecasting and budgeting process.

19 (2) This section expires January 1, 2021.

20 NEW SECTION. **Sec. 7.** (1) The department of children, youth, and
21 families shall, as part of its budget request submittal for the
22 2019-2021 biennial operating budget, conduct of a review of the most
23 recent caseload forecast of children in foster care and the
24 availability and capacity of licensed foster homes. The review shall
25 include:

26 (a) An analysis of the need for licensed foster homes;

27 (b) A listing of support resources available for parents in
28 licensed foster homes; and

29 (c) A review of department policies that affect the recruitment
30 and retention of licensed foster homes.

31 A report containing the results of the review shall be submitted
32 to the office of financial management and the appropriate policy and
33 appropriation committees of the legislature no later than October 1,
34 2018.

35 (2) This section expires October 1, 2018."

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1 On page 1, line 2 of the title, after "children;" strike the
2 remainder of the title and insert "amending RCW 43.88C.010; adding a
3 new section to chapter 74.13 RCW; adding a new section to chapter
4 43.88 RCW; creating new sections; and providing expiration dates."

EFFECT: (1) Requires the Office of Innovation, Alignment, and Accountability to develop a single validated tool to assess the care needs of foster children, including whether behavioral rehabilitation services (BRS) should be provided.

(2) Requires the Department of Children, Youth, and Families (DCYF) to facilitate a work group to design a rate payment methodology for BRS.

(3) Requires the Caseload Forecast Council to forecast screened-in reports of child abuse or neglect and the number of BRS youth.

(4) Requires that the following be budgeted at the maintenance level:

(a) BRS placements;

(b) Social work and related staff for screened-in reports of child abuse or neglect;

(c) Court-ordered visitation delivered by contractors; and

(d) Those activities currently included as maintenance level costs.

(5) Requires DCYF to report to the Legislature no later than December 1, 2020, on the actual and projected funding levels in Fiscal Years 2019 through 2021 and compare them to expenditures prior to inclusion in the maintenance level forecasting and budgeting process, for the following:

(a) BRS placements;

(b) Social work and related staff for screened-in reports of child abuse or neglect; and

(c) Court-ordered visitation delivered by contractors.

(6) Requires DCYF to review the availability and capacity of licensed foster homes in comparison to the foster care caseload and submit the review as part of the 2019-2021 budget submittal.

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