
Appropriations Committee

HB 2008

Brief Description: Addressing the budgeting process for core state services for children.

Sponsors: Representatives Kagi, Jinkins and Senn.

Brief Summary of Bill

- Directs the Washington State Institute for Public Policy (WSIPP), in consultation with the Department of Social and Health Services (DSHS), to develop a single validated tool to assess the care needs of foster children, including whether Behavioral Rehabilitation Services (BRS) should be provided.
- Requires the Caseload Forecast Council to forecast the number of screened-in reports of child abuse or neglect and the number of children that require foster care-related services.
- Establishes that the Children's Administration services that must be forecasted and funded in maintenance level of the budget are:
 - social worker and related staff to receive, refer, and respond to screened-in reports of child abuse or neglect;
 - court-ordered parent-child and sibling visitation;
 - BRS placements if and when the DSHS implements a single validated assessment tool as developed by WSIPP; and
 - foster care and adoption support services that are forecasted and funded in maintenance level under current practice.

Hearing Date: 2/15/17

Staff: Mary Mulholland (786-7391).

Background:

Operating Budget.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A two-year biennial operating budget appropriates funding for the operation of state government and is adopted every odd-numbered year. Supplemental budgets frequently are enacted in each of the following two years after adoption of the biennial budget.

Although many elements of the budget process are contained in statute, others elements of the process reflect decisions made by the executive and legislative branches. In Washington, budget decisions are often categorized as being either a maintenance level or a policy level decision.

For the purposes of the four-year outlook, maintenance level has been defined to mean the estimated appropriations necessary to maintain the continuing costs of program and service levels either funded in the prior biennium or otherwise mandated by other state or federal law. Maintenance level items typically include adjustments for the forecasted changes in entitlement caseloads/enrollments and other mandatory expenses.

All other budget decisions are typically categorized as policy items. Examples include: creating a new program; eliminating a current program; increasing or decreasing vendor or employee payment rates; expanding or contracting program eligibility; and expanding or contracting the value of services provided by a program.

Department of Social and Health Services Children's Administration.

The Children's Administration (CA) is a program under the Department of Social and Health Services (DSHS) with responsibilities that include:

- receiving reports of child abuse or neglect and responding to reports that screen-in for intervention;
- providing temporary out-of-home placements for children who have been removed from their homes for safety reasons; and
- supporting families who adopt children from state foster care.

Child Protective Services.

Any person may call Child Protective Services (CPS) to report potential cases of child abuse or neglect. Intake CPS staff determine whether a report meets the following criteria to screen in for child abuse or neglect:

- Is the victim under 18?
- If the allegation were true, would it meet the definition in the Washington Administrative Code of child abuse or neglect?
- Does the alleged subject have the role of parent or caregiver, is the alleged subject acting in loco parentis, or is the alleged subject unknown?

If the screening criteria are met, the intake workers refer the report for a CPS response. Screened-in reports are referred to one of two CPS pathways: traditional investigation or Family Assessment Response (FAR). Both CPS pathways focus on child safety and include an intervention by a CPS worker who conducts a face-to-face visit with the child and family to assess how the family may be engaged in services and whether the child is safe in the home. Reports that the intake worker determines to be higher-risk for child safety are referred for 24-hour response and traditional investigation. Reports determined by the intake worker to be low

to moderate risk are referred for 72-hour response and may be referred for either an investigation or FAR.

There is no official forecast of the total number of CPS reports or of CPS reports that screen-in for response.

Temporary Out-of-Home Placements.

If the CPS social worker who responds to the report determines that the child is unsafe in the home, the child may be removed and placed in a temporary out-of-home placement until he or she can return to the home safely or be placed in another safe and permanent living arrangement. There are multiple types of temporary-out-of-home placement including licensed family foster care, relative or kin placements, and Behavioral Rehabilitation Services (BRS).

Licensed Family Foster Care.

Licensed foster families receive monthly maintenance payments for the costs of caring for a child. Family foster care rates vary by the child's age and whether the child requires higher levels of non-routine caretaking, as determined by a standardized rate assessment tool. On a case-by-case basis, CA may enter into exceptional cost plans with foster families to provide rates that exceed the regular rates.

BRS.

Behavioral Rehabilitation Services is designed to be a temporary, intensive service that utilizes a wrap-around service approach for youth with high-level behavioral, medical, or mental health issues. Most BRS youth are served in out-of-home placements in congregate care settings or with specially-trained foster families; it may also be provided as an in-home service. Contracted vendors provide BRS at monthly all-inclusive rates. On a case-by-case basis, CA may enter into child-specific contracts with BRS vendors to provide rates that exceed the regular rate table. Regional CA BRS managers act as the gatekeepers for BRS referrals.

Two assessments are currently used for children in BRS. The Children's Functional Assessment Rating Scale (CFARs) must be completed by the BRS vendor for most youth within 14 days of BRS entry and within 30 days of exiting BRS. The Wraparound with Intensive Services (WISe) screen is completed upon BRS referral and every six months during the youth's BRS stay to determine if the youth's needs could be met with in-home wraparound mental health services in place of BRS.

Visitation.

Children in temporary out-of-home placements receive visitation with their parents and siblings when the court determines visitation to be in the best interest of the child. Visits may be provided by contracted visitation vendors, CA social workers, or other appropriate persons. The level of supervision, frequency, and duration of visitation is determined by the court and often reflects recommendations of the child's CA social worker.

Caseload Forecast Council.

The Caseload Forecast Council (CFC) is a state agency charged with preparing official state forecasts of the number of persons expected to meet entitlement requirements and to require the services of certain public assistance programs, including foster care, adoption support, the prison population, K-12 students, Medicaid, and other specified programs. The Council itself consists

of two individuals appointed by the Governor, and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the Senate and the House of Representatives.

Budgeting Processes for CA Services.

Funding for some CA services are adjusted annually in maintenance level of the budget on the basis of actual and forecasted caseloads and per-capita costs. Children's Administration services for which funding is currently adjusted in maintenance level of the budget in part using current caseload forecasts are:

- foster care maintenance payments;
- child-placing agency (CPA) management fees;
- child care for children in foster or relative placements when their foster parents are at work or school;
- child aides for children in foster care;
- support goods for children in foster care;
- Extended Foster Care (EFC) maintenance payments and related EFC expenses; and
- adoption support and other adoption-related expenses.

Funding for BRS and for visitation services was adjusted in maintenance level through the forecast process until the 2009-11 biennial budget and 2010 supplemental budget, respectively, when the Legislature chose to begin treating all funding changes for these items as policy decisions.

Funding for staff including CPS workers is not adjusted annually in maintenance level on the basis of actual and projected workload.

Washington State Institute for Public Policy.

The Washington State Institute for Public Policy (WSIPP) is a nonpartisan entity that conducts research and benefit-cost analyses at the direction of the Legislature.

Summary of Bill:

The WSIPP, in consultation with the DSHS, must develop a single validated tool to assess the care needs of foster children. Once the tool is available statewide, the DSHS must use it to assess the care needs of foster children, including but not limited to whether the DSHS must provide BRS. The DSHS must notify the CFC, Office of Financial Management, and the appropriate legislative committees when it begins statewide use of the tool.

The CFC forecast of the foster care caseload is revised to include BRS and court-ordered visitations. In addition, the CFC must forecast the number of reports screened in for child abuse or neglect.

The following foster care and adoption support services must be budgeted in maintenance level:

- Those that are currently treated as maintenance level costs, including but not limited to:
 - foster care maintenance payments;
 - child-placing agency (CPA) management fees;

- child care for children in foster or relative placements when their foster parents are at work or school;
 - child aides for children in foster care;
 - support goods for children in foster care; and
 - adoption support and other adoption-related expenses.
- Certain specified items not currently treated as maintenance level:
 - court-ordered parent-child and sibling visitation;
 - social worker and related staff to receive, refer, and respond to screened-in reports of child abuse or neglect; and
 - BRS placements, if and only if the DSHS uses a single validated assessment tool statewide to determine care needs and BRS referrals.

Appropriation: None.

Fiscal Note: Requested on February 6, 2017.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.