

# SENATE BILL REPORT

## SB 5718

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As of March 1, 2019

**Title:** An act relating to establishing the child welfare housing assistance program that provides housing assistance to parents reunifying with a child and parents at risk of having a child removed.

**Brief Description:** Establishing the child welfare housing assistance program that provides housing assistance to parents reunifying with a child and parents at risk of having a child removed.

**Sponsors:** Senators Saldaña, Hasegawa, Nguyen, O'Ban, Das, Keiser, Kuderer and Zeiger.

**Brief History:**

**Committee Activity:** Human Services, Reentry & Rehabilitation: 2/12/19, 2/19/19 [DPS-WM].

Ways & Means: 2/26/19.

**Brief Summary of First Substitute Bill**

- Creates a child welfare housing assistance program (CWHAP) within the Department of Children, Youth, and Families (DCYF), to provide housing vouchers, rental assistance, navigation, and other support services to eligible families.
- Creates a stakeholder group to work with DCYF to assist in the design of the CWHAP, including eligibility criteria and establishing performance measures and monitoring outcomes.

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**SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION**

**Majority Report:** That Substitute Senate Bill No. 5718 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

**Staff:** Alison Mendiola (786-7488)

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**SENATE COMMITTEE ON WAYS & MEANS**

*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.*

**Staff:** Maria Hovde (786-7474)

**Background:** Child Welfare. If an individual suspects a child has been abused or neglected, it can be reported to DCYF's Child Protective Services (CPS) office or to law enforcement. There are many individuals who are required by law to report suspected abuse or neglect. CPS will determine whether the report of child abuse or neglect is credible and whether the report meets the sufficiency screening criteria. If the report meets the screening criteria, CPS will assign either a 24-hour response that includes an investigation, or a family assessment response for low to moderate risk allegations requiring a 72-hour response.

Dependency. DCYF, or anyone else, can file a court petition alleging the child should be a dependent of the state due to abuse, neglect, or because no parent, guardian, or custodian is capable of adequately caring for the child. A court will hold a shelter care hearing following removal of a child from their home within seventy-two hours. At this hearing, the court will determine if the child can return home safely. After the initial shelter care hearing, if the child is not returned home, there are six-month dependency review hearings to determine the progress of the parties and decide whether the child is able to return home or if court supervision should continue. If a child is not returned home, the court must establish a number of factors. This includes whether a parent's homelessness or lack of suitable housing is a significant factor delaying permanency for the child by preventing them from returning to their parent's home or whether housing assistance should be provided by DCYF.

**Summary of Bill (First Substitute):** Child Welfare Housing Assistance Program. Effective July 1, 2020, CWHAP is created to provide housing vouchers, rental assistance, navigation, and other support services to eligible families. Funding may be provided to families for up to two years, with the possibility of extending it an additional two years for families who still do not have permanent housing or who continue to need housing support. The purpose of the program is to shorten the time children remain in out-of-home care. DCYF is to contract with outside entities to operate CWHAP. However, if no outside entities are available to operate the program, DCYF may do so.

Eligibility. A parent with a child who is dependent, whose primary remaining barrier to reunification is the lack of appropriate housing, is eligible for CWHAP.

Families may be referred to CWHAP by a caseworker, an attorney, a guardian ad litem, a child welfare parent mentor, an Office of Public Defense social worker, or the court.

Stakeholder Group. DCYF is to convene a stakeholder group including, but not limited to:

- parent allies;
- parent attorneys and social workers managed by the Office of Public Defense parent representation program;
- the Department of Commerce;
- housing experts;
- community-based organizations;
- advocates; and
- behavioral health providers.

The stakeholder group meets to assist DCYF in the design of the CWHAP in areas, including:

- equitable racial, geographic, ethnic, and gender distribution of program support;
- eligibility criteria;
- creating a definition of homeless for purposes of eligibility for the program; and
- options for program design that include outside entities operating the entire program or specific parts of the program.

Following the implementation of CWHAP, the stakeholder group provides ongoing input in the following areas:

- equitable racial, geographic, ethnic, and gender distribution of program support;
- tracking of the receipt of program support; and
- establishing performance measures and monitoring outcomes.

DCYF reports outcomes of CWHAP to the stakeholder group and the DCYF Oversight Board.

Shelter Care Hearing. At the shelter care hearing, when the court inquires whether any housing assistance was provided to the family to prevent or eliminate the need for the removal of the child from their home, housing assistance includes a referral to CWHAP.

Dependency. At dependency review hearings, the court is to establish in writing, among other things, whether a parent's homelessness or lack of suitable housing is a significant factor delaying permanency for the child by preventing return to their parent's home, and whether housing assistance should be provided by DCYF, including referral to CWHAP.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES, REENTRY & REHABILITATION COMMITTEE (First Substitute):** The purpose of the program is to shorten the time children remain in out-of-home care. A parent with a child who is dependent whose primary remaining barrier to reunification is the lack of appropriate housing is eligible for CWHAP.

**Appropriation:** None.

**Fiscal Note:** Requested on January 29, 2019.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Human Services, Reentry & Rehabilitation):** *The committee recommended a different version of the bill than what was heard.* PRO: For many the lack of stable housing is the only barrier for a family in preventing a child from being returned home. It can take up to a year to find appropriate housing. Meanwhile, children languish in care and the longer children are in foster care, the more likely it is they will have adverse outcomes. Child welfare is not a place to raise children. Also, the money the state will save by having children return home easily offsets the cost of the program. This is something that should be considered in the fiscal note. Between

30-35 percent of parents with children removed from home end up homeless. There may programs out there to help a family afford first and last month's rent as well as a security deposit but attorneys spend more time piecing this subsidy together than working on legal representation. Families may have other barriers like eviction records. There is currently no coordinated process for helping a family with housing stability so the child can return home.

**Persons Testifying (Human Services, Reentry & Rehabilitation):** PRO: Laurie Lippold, Partners for Our Children; Kimberly Mays, Office of Public Defense Social Worker; Parent Ally; Bill Jones, parent; Pier Petersen, attorney.

**Persons Signed In To Testify But Not Testifying (Human Services, Reentry & Rehabilitation):** No one.

**Staff Summary of Public Testimony on First Substitute (Ways & Means):** PRO: Housing is an issue for families involved in the child welfare system and often prevents reunification. Everyone needs a community to support them. Not all individuals have community support and this bill could help ameliorate that. There is a crisis of affordable housing in this state and because there is not access to housing, children are languishing in the foster care system. The passage of this bill and creation of this program will reduce financial costs to the state and will reduce emotional costs on families. Approximately 30 to 35 percent of parents end up homeless when their kids are removed. Even though being homeless or unstably housed is not the primary reason for a child to be removed, it is very unlikely that a child will be returned without appropriate housing. We do have some leeway to look at the fiscal note to reduce the costs of this program. This program will help to ensure that there are housing resources available for families involved in the child welfare system.

**Persons Testifying (Ways & Means):** PRO: Laurie Lippold, Partners for Our Children; Jason Bragg, Social Service Specialist, Office of Public Defense; Lisa Dabalos-McMahon, OPD contract attorney.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.