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HOUSE BILL 1605

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State of Washington

66th Legislature

2019 Regular Session

By Representatives Dent, Peterson, Griffey, Caldier, Goodman, Volz, Stanford, Lovick, Reeves, Klippert, Frame, Schmick, Harris, Appleton, Kretz, DeBolt, Cody, Macri, Orwall, Shea, Blake, Kloba, Doglio, Ortiz-Self, Eslick, Jenkins, Van Werven, Fey, Ormsby, Callan, Bergquist, Tarleton, and Leavitt

Read first time 01/25/19. Referred to Committee on Human Services & Early Learning.

1 AN ACT Relating to requiring traumatic brain injury screenings  
2 for children entering the foster care system; and amending RCW  
3 74.14A.050.

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

5 **Sec. 1.** RCW 74.14A.050 and 2003 c 207 s 9 are each amended to  
6 read as follows:

7 (1) The secretary shall:

8 ~~((1))~~ (a) Consult with relevant qualified professionals to  
9 develop a set of minimum guidelines to be used for identifying all  
10 children who are in a state-assisted support system, whether at-home  
11 or out-of-home, who are likely to need long-term care or assistance,  
12 because they face physical, emotional, medical, mental, or other  
13 long-term challenges ~~((;—(b)))~~. The guidelines must, at a minimum,  
14 consider the following criteria for identifying children in need of  
15 long-term care or assistance:

16 (i) Placement within the foster care system for two years or  
17 more;

18 (ii) Multiple foster care placements;

19 (iii) Repeated unsuccessful efforts to be placed with a permanent  
20 adoptive family;

21 (iv) Chronic behavioral or educational problems;

1 (v) Repetitive criminal acts or offenses;

2 (vi) Failure to comply with court-ordered disciplinary actions  
3 and other imposed guidelines of behavior, including drug and alcohol  
4 rehabilitation; and

5 (vii) Chronic physical, emotional, medical, mental, or other  
6 similar conditions necessitating long-term care or assistance;

7 ~~((2))~~ (b) Develop programs that are necessary for the long-term  
8 care of children and youth that are identified for the purposes of  
9 this section. Programs must: ~~((a))~~ (i) Effectively address the  
10 educational, physical, emotional, mental, and medical needs of  
11 children and youth; and ~~((b))~~ (ii) incorporate an array of family  
12 support options, to individual needs and choices of the child and  
13 family. The programs must be ready for implementation by January 1,  
14 1995;

15 ~~((3))~~ (c) Conduct an evaluation of all children currently  
16 within the foster care agency caseload to identify those children who  
17 meet the criteria set forth in this section. All children entering  
18 the foster care system must be evaluated for identification of long-  
19 term needs, including a screening for traumatic brain injury, within  
20 thirty days of placement~~((7))~~.

21 ~~((4))~~ (2)(a) As a result of the passage of chapter 232, Laws of  
22 2000, the department is conducting a pilot project to do a  
23 comparative analysis of a variety of assessment instruments to  
24 determine the most effective tools and methods for evaluation of  
25 children. The pilot project may extend through August 31, 2001. The  
26 department shall report to the appropriate committees in the senate  
27 and house of representatives by September 30, 2001, on the results of  
28 the pilot project. The department shall select an assessment  
29 instrument that can be implemented within available resources. The  
30 department shall complete statewide implementation by December 31,  
31 2001. The department shall report to the appropriate committees in  
32 the senate and house of representatives on how the use of the  
33 selected assessment instrument has affected department policies, by  
34 no later than December 31, 2002, December 31, 2004, and December 31,  
35 2006~~((7-5))~~. The secretary shall use the assessment tool developed  
36 pursuant to this subsection ~~((4) of this section)~~ in making out-of-  
37 home placement decisions for children;

38 ~~((6))~~ (b) Each region of the department shall make the  
39 appropriate number of referrals to the foster care assessment program  
40 to ensure that the services offered by the program are used to the

1 extent funded pursuant to the department's contract with the program.  
2 The department shall report to the legislature by November 30, 2000,  
3 on the number of referrals, by region, to the foster care assessment  
4 program. If the regions are not referring an adequate number of cases  
5 to the program, the department shall include in its report an  
6 explanation of what action it is or has taken to ensure that the  
7 referrals are adequate;

8 ~~((7))~~ (c) The department shall report to the legislature by  
9 December 15, 2000, on how it will use the foster care assessment  
10 program model to assess children as they enter out-of-home care;

11 ~~((8))~~ (d) The department is to accomplish the tasks listed in  
12 ~~((subsections—(4)) (a) through ((7)) (c) of this ((section))~~  
13 subsection within existing resources~~((7))~~.

14 ~~((9))~~ (3) The secretary shall also study and develop:  
15 (a) A comprehensive plan for the evaluation and identification of  
16 all children and youth in need of long-term care or assistance,  
17 including, but not limited to, ~~((the mentally ill, developmentally~~  
18 disabled, medically fragile, seriously emotionally or behaviorally  
19 disabled, and physically impaired; ~~(10) Study and develop~~  
20 individuals with mental illness, developmental disabilities, medical  
21 fragility, serious emotional or behavioral disabilities, and physical  
22 impairments;

23 (b) A plan for ~~((the))~~ children and youth in need of long-term  
24 care or assistance to ensure the coordination of services between the  
25 department's divisions and between other state agencies who are  
26 involved with the child or youth;

27 ~~((11) Study and develop)~~ (c) Guidelines for transitional  
28 services, between long-term care programs, based on the person's age  
29 or mental, physical, emotional, or medical condition; and

30 ~~((12) Study and develop)~~ (d) A statutory proposal for the  
31 emancipation of minors.

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