

# Chapter 388-70 WAC

## CHILD WELFARE SERVICES—FOSTER CARE—ADOPTION SERVICES—SERVICES TO UNMARRIED PARENTS

### WAC

388-70-091	Foster care planning for Indian children—Definitions.		
388-70-092	Foster care for Indian children—Tribal sovereignty.	388-70-018	3/1/74.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.
388-70-093	Foster care for Indian children—Services.		
388-70-095	Foster care for Indian children—Serious injury, death, abandonment, child abuse, neglect, incarceration.		
388-70-450	Adoptive planning for Indian children by department staff.	388-70-019	Responsibility of foster parents. [Order 913, § 388-70-019, filed 3/1/74.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.
388-70-600	Local Indian child welfare advisory committee—Purpose.	388-70-020	Services offered. [Regulation 70.020, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.
388-70-610	Local Indian child welfare advisory committee—Membership.	388-70-022	Payment of foster care. [Statutory Authority: RCW 74.08.090 and 1979 c 155. 79-10-026 (Order 1431), § 388-70-022, filed 9/10/79. Statutory Authority: RCW 74.08.090. 79-04-062 (Order 1384), § 388-70-022, filed 3/28/79; 78-09-098 (Order 1335), § 388-70-022, filed 9/1/78; Order 1260, § 388-70-022, filed 12/29/77, effective 2/1/78; Order 1123, § 388-70-022, filed 6/7/76; Order 913, § 388-70-022, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-615	Local Indian child welfare advisory committee—Subcommittees.		
388-70-620	Local Indian child welfare advisory committee—Functions.		
388-70-630	Local Indian child welfare advisory committee—Meetings.		
388-70-640	Local Indian child welfare advisory committee—Confidentiality.		
		388-70-024	Payment of foster care—Effective date. [Statutory Authority: RCW 74.12.340. 82-16-064 (Order 1849), § 388-70-024, filed 7/30/82. Statutory Authority: RCW 74.08.090. 82-04-070 (Order 1753), § 388-70-024, filed 2/3/82; 78-09-098 (Order 1335), § 388-70-024, filed 9/1/78; Order 1123, § 388-70-024, filed 6/7/76; Order 1040, § 388-70-024, filed 8/7/75; Order 1020, § 388-70-024, filed 4/29/75; Order 913, § 388-70-024, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-025	Foster care—Eligibility. [Order 623, § 388-70-025, filed 10/27/71.] Repealed by Order 913, filed 3/1/74.
		388-70-030	Application and requests for child welfare services. [Regulation 70.030, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.
		388-70-031	Foster parent liability fund. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-031, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-032	Period of coverage. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-032, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-033	Persons eligible for coverage. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-033, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-034	Limits of coverage. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-034, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-035	Exclusions. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-035, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-036	Subrogation. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-036, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-037	Investigation of claims. [Statutory Authority: RCW 74.08.090. 91-24-044 (Order 3297), § 388-70-037, filed 11/27/91, effective 12/28/91.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.

388-70-040	Foster care—Request for services. [Order 623, § 388-70-040, filed 10/27/71; Regulation 70.040, filed 3/22/60.] Repealed by Order 913, filed 3/1/74.	388-70-055	Foster care—Responsibility of foster parents. [Order 623, § 388-70-055, filed 10/27/71.] Repealed by Order 913, filed 3/1/74.
388-70-041	Payment standards—Foster family care. [Order 913, § 388-70-041, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-056	Transportation and other expenses—Reimbursement. [Statutory Authority: RCW 74.08.090. 85-13-062 (Order 2242), § 388-70-056, filed 6/18/85; 78-09-098 (Order 1335), § 388-70-056, filed 9/1/78; Order 1123, § 388-70-056, filed 6/7/76; Order 965, § 388-70-056, filed 8/29/74; Order 913, § 388-70-056, filed 3/1/74.] Repealed by 87-09-027 (Order 2481), filed 4/9/87. Statutory Authority: Chapter 74.13 RCW.
388-70-042	Payment standards—Regular foster family care. [Statutory Authority: RCW 74.08.090. 86-04-030 (Order 2337), § 388-70-042, filed 1/29/86; 85-13-062 (Order 2242), § 388-70-042, filed 6/18/85; 81-09-042 (Order 1634), § 388-70-042, filed 4/15/81; 79-11-085 (Order 1445), § 388-70-042, filed 10/24/79; Order 1260, § 388-70-042, filed 12/29/77, effective 2/1/78; Order 1149, § 388-70-042, filed 8/26/76; Order 1052, § 388-70-042, filed 9/10/75; Order 963, § 388-70-042, filed 8/19/74; Order 913, § 388-70-042, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-058	Reimbursement for damage or loss caused by child in foster family care. [Statutory Authority: RCW 74.08.090. 85-13-062 (Order 2242), § 388-70-058, filed 6/18/85; 80-04-055 (Order 1495), § 388-70-058, filed 3/21/80.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-043	Foster care—Authorization for placement. [Order 763, § 388-70-043, filed 1/10/73; Order 623, § 388-70-043, filed 10/27/71.] Repealed by Order 913, filed 3/1/74.	388-70-060	Services to the child in his own home. [Regulation 70.060, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.
388-70-044	Payment standards—Receiving home care—Standards for using. [Statutory Authority: RCW 74.08.090. 86-04-030 (Order 2337), § 388-70-044, filed 1/29/86; 85-13-062 (Order 2242), § 388-70-044, filed 6/18/85; 81-09-042 (Order 1634), § 388-70-044, filed 4/15/81; 79-11-085 (Order 1445), § 388-70-044, filed 10/24/79; 78-09-098 (Order 1335), § 388-70-044, filed 9/1/78; Order 1260, § 388-70-044, filed 12/29/77, effective 2/1/78; Order 1208, § 388-70-044, filed 4/29/77; Order 1149, § 388-70-044, filed 8/26/76; Order 1052, § 388-70-044, filed 9/10/75; Order 965, § 388-70-044, filed 8/29/74; Order 963, § 388-70-044, filed 8/19/74; Order 913, § 388-70-044, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-062	Payment for foster care to family receiving public assistance. [Order 913, § 388-70-062, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-046	Foster care—Rights of natural parents of child. [Order 623, § 388-70-046, filed 10/27/71.] Repealed by Order 913, filed 3/1/74.	388-70-064	Payment for foster care to relative. [Statutory Authority: RCW 74.08.090. 82-24-068 (Order 1915), § 388-70-064, filed 12/1/82; 80-06-069 (Order 1504), § 388-70-064, filed 5/22/80; Order 913, § 388-70-064, filed 3/1/74.] Repealed by 98-01-125, filed 12/18/97, effective 1/18/98. Statutory Authority: RCW 34.05.210, 74.08.090 and 1997 c 409 § 209.
388-70-047	Emergency foster care assistance. [Statutory Authority: RCW 74.08.090. 78-09-098 (Order 1335), § 388-70-047, filed 9/1/78; Order 1052, § 388-70-047, filed 9/10/75.] Repealed by 85-13-062 (Order 2242), filed 6/18/85. Statutory Authority: RCW 74.08.090.	388-70-065	Foster care—Payment. [Order 623, § 388-70-065, filed 10/27/71.] Repealed by Order 825, filed 7/26/73.
388-70-048	Payment standards—Specialized rate foster family care—Child with special needs. [Statutory Authority: RCW 74.08.090. 86-04-030 (Order 2337), § 388-70-048, filed 1/29/86; 85-13-062 (Order 2242), § 388-70-048, filed 6/18/85; 81-09-042 (Order 1634), § 388-70-048, filed 4/15/81; 79-11-085 (Order 1445), § 388-70-048, filed 10/24/79; 78-09-098 (Order 1335), § 388-70-048, filed 9/1/78; Order 1149, § 388-70-048, filed 8/26/76; Order 1052, § 388-70-048, filed 9/10/75; Order 963, § 388-70-048, filed 8/19/74; Order 913, § 388-70-048, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-066	Foster care out-of-state—Authorization—Payment. [Statutory Authority: RCW 74.08.090. 85-13-062 (Order 2242), § 388-70-066, filed 6/18/85; 78-09-098 (Order 1335), § 388-70-066, filed 9/1/78; Order 913, § 388-70-066, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-049	Payment standards—Foster care in boarding school. [Order 913, § 388-70-049, filed 3/1/74.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-068	Earnings of foster child. [Statutory Authority: RCW 74.08.090. 83-04-061 (Order 1943), § 388-70-068, filed 2/2/83; Order 913, § 388-70-068, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-050	Requests from parents. [Regulation 70.050, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.	388-70-069	Resources and unearned income of foster child. [Statutory Authority: RCW 74.08.090. 83-04-061 (Order 1943), § 388-70-069, filed 2/2/83; Order 1123, § 388-70-069, filed 6/7/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-051	Education related foster care. [Statutory Authority: RCW 74.08.090. 78-09-098 (Order 1335), § 388-70-051, filed 9/1/78; Order 924, § 388-70-051, filed 4/15/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-070	Referrals to juvenile court. [Regulation 70.070, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.
388-70-052	Overpayments of foster care. [Order 913, § 388-70-052, filed 3/1/74.] Repealed by Order 1186, filed 2/3/77.	388-70-075	Parents' obligation to support child in foster care. [Order 1123, § 388-70-075, filed 6/7/76; Order 918, § 388-70-075, filed 3/14/74; Order 623, § 388-70-075, filed 10/27/71.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-053	Payment standards—Incentive plan. [Statutory Authority: RCW 74.08.090. 80-12-005 (Order 1534), § 388-70-053, filed 8/22/80.] Repealed by 85-13-062 (Order 2242), filed 6/18/85. Statutory Authority: RCW 74.08.090.	388-70-078	Standards for parental participation in cost of foster care—Minimum scale recommended to court. [Order 1123, § 388-70-078, filed 6/7/76; Order 918, § 388-70-078, filed 3/14/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
388-70-054	Temporary absence of child from foster care. [Statutory Authority: RCW 74.08.090. 85-13-062 (Order 2242), § 388-70-054, filed 6/18/85; 79-11-105 (Order 1449), § 388-70-054, filed 10/31/79; Order 1123, § 388-70-054, filed 6/7/76; Order 965, § 388-70-054, filed 8/29/74; Order 913, § 388-70-054, filed 3/1/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-080	Referral of child in foster care to department's office of support enforcement. [Statutory Authority: RCW 74.08.090. 83-17-003 (Order 1992), § 388-70-080, filed 8/5/83; Order 1123, § 388-70-080, filed 6/7/76; Order 1048, § 388-70-080, filed 8/29/75; Order 1016, § 388-70-080, filed 4/1/75; Order 918, § 388-70-080, filed 3/14/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
		388-70-082	Foster care. [Regulation 70.080, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.
		388-70-084	Parents' foster care payments to be remitted to department. [Order 1123, § 388-70-082, filed 6/7/76; Order 918, § 388-70-082, filed 3/14/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
			Assignment of child support judgment and limited power of attorney. [Order 1123, § 388-70-084, filed 6/7/76; Order 918, § 388-70-084, filed 3/14/74.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.

388-70-085	Foster care—Determination of parents' financial ability to support child. [Order 623, § 388-70-085, filed 10/27/71.] Repealed by Order 918, filed 3/14/74.	12/31/69; Regulation 70.200, filed 9/26/63; Regulation 70.200, filed 3/22/60.] Repealed by Order 913, filed 3/1/74.
388-70-090	Payment for foster care. [Regulation 70.090, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.	388-70-201
388-70-100	Adoption services. [Regulation 70.100, filed 3/22/60.] Repealed by Order 1167, filed 10/27/76.	DSHS—Private child caring agency relationships—Legal basis. [Order 1123, § 388-70-201, filed 6/7/76.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.
388-70-110	Services to unmarried parents. [Order 1020, § 388-70-110, filed 4/29/75; Order 689, § 388-70-110, filed 6/15/72; Regulation 70.110, filed 3/22/60.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-210
388-70-111	Services to unmarried parents—Duration of service. [Order 689, § 388-70-111, filed 6/15/72.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-211
388-70-112	Services to unmarried parents—Persons eligible. [Order 1020, § 388-70-112, filed 4/29/75; Order 689, § 388-70-112, filed 6/15/72.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-216
388-70-114	Services to unmarried parents—Payment. [Order 689, § 388-70-114, filed 6/15/72.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-220
388-70-116	Services to unmarried parents—Parents' responsibility. [Order 689, § 388-70-116, filed 6/15/72.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-221
388-70-118	Services to unmarried parents—Services available. [Order 689, § 388-70-118, filed 6/15/72.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.	388-70-222
388-70-120	Medical care. [Regulation 70.120, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.	388-70-225
388-70-130	Foster homes. [Regulation 70.130, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.	388-70-230
388-70-140	Interstate movement of children. [Regulation 70.140, filed 3/22/60.] Repealed by Order 623, filed 10/27/71.	388-70-235
388-70-150	Adoption studies for the superior court. [Regulation 70.150, filed 3/22/60.] Repealed by Order 1167, filed 10/27/76.	388-70-240
388-70-160	Guardianship of estate of child. [Statutory Authority: RCW 74.08.090, 78-09-098 (Order 1335), § 388-70-160, filed 9/1/78; Order 965, § 388-70-160, filed 8/29/74; Order 913, § 388-70-160, filed 3/1/74; Regulation 70.160, filed 3/22/60.] Repealed by 98-01-125, filed 12/18/97, effective 1/18/98. Statutory Authority: RCW 34.05.210, 74.08.090 and 1997 c 409 § 209.	388-70-245
388-70-170	Veterans' benefits. [Order 913, § 388-70-170, filed 3/1/74; Regulation 70.170, filed 3/22/60.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.	388-70-250
388-70-175	Veterans' benefits—Types of care. [Order 623, § 388-70-175, filed 10/27/71.] Repealed by Order 825, filed 7/26/73.	388-70-255
388-70-180	Foster family care—Standards for payment. [Order 825, § 388-70-180, filed 7/26/73; Order 763, § 388-70-180, filed 1/10/73; Order 654, § 388-70-180, filed 2/9/72; Order 623, § 388-70-180, filed 10/27/71; Order 554, § 388-70-180, filed 4/1/71; Order 418, § 388-70-180, filed 12/31/69; Regulation 70.180, filed 7/27/67; Regulation 70.180, filed 2/23/67, 12/28/66, 10/13/66, 3/31/66, 6/24/64, 9/26/63, 6/30/60, 3/22/60.] Repealed by Order 913, filed 3/1/74.	388-70-260
388-70-183	Payment standards for regular foster family care. [Order 825, § 388-70-183, filed 7/26/73.] Repealed by Order 913, filed 3/1/74.	388-70-270
388-70-185	Payment standards for receiving home care. [Order 825, § 388-70-185, filed 7/26/73.] Repealed by Order 913, filed 3/1/74.	388-70-275
388-70-187	Payment standards for specialized foster family care—Child with special needs. [Order 825, § 388-70-187, filed 7/26/73.] Repealed by Order 913, filed 3/1/74.	388-70-280
388-70-190	Payment standards for foster care in boarding school. [Order 825, § 388-70-190, filed 7/26/73 and repealed by Order 913, filed 3/1/74; Order 418, § 388-70-190, filed 12/31/69; Regulation 70.190, filed 7/27/67; Regulation 70.190, filed 3/31/66, 6/24/64, 9/26/63, 6/30/60, 3/22/60.] Repealed by Order 623, filed 10/27/71.	
388-70-200	Payment standards for foster care in boarding school—Payment to foster family receiving public assistance. [Order 623, § 388-70-200, filed 10/27/71; Order 554, § 388-70-200, filed 4/1/71; Order 418, § 388-70-200, filed	

- 388-70-300 (Appendix A) Informational list of voluntary child care agencies and institutions and agreed rates. [Appendix A, filed 12/21/64, effective 2/1/65.] Repealed by Order 623, filed 10/27/71.
- 388-70-320 Use of resources other than state department of public assistance medical program. [Regulation 70.240, filed 9/26/63.] Repealed by 78-09-098 (Order 1335), filed 9/1/78. Statutory Authority: RCW 74.08.090.
- 388-70-410 Adoption services for children—Legal basis—Purpose. [Order 1167, § 388-70-410, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-420 Definitions. [Order 1167, § 388-70-420, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-430 Eligibility for adoption service. [Order 1167, § 388-70-430, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-440 Adoption services for children. [Order 1167, § 388-70-440, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-460 Adoption services for families. [Order 1167, § 388-70-460, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-470 Interstate procedures. [Order 1167, § 388-70-470, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-480 Record confidentiality. [Order 1167, § 388-70-480, filed 10/27/76.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-510 Adoption support for children—Legal basis—Purpose. [Statutory Authority: RCW 43.20A.550. 82-02-023 (Order 1744), § 388-70-510, filed 12/30/81; Order 1037, § 388-70-510, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-520 Adoption support for children—Definitions. [Statutory Authority: RCW 43.20A.550. 93-07-030 (Order 3524), § 388-70-520, filed 3/10/93, effective 4/10/93. Statutory Authority: RCW 43.20A.550 and HB 2602. 90-23-076 (Order 3101), § 388-70-520, filed 11/20/90, effective 12/21/90; Order 1037, § 388-70-520, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-530 Adoption support for children—Eligible child. [Statutory Authority: RCW 43.20A.550 and HB 2602. 90-23-076 (Order 3101), § 388-70-530, filed 11/20/90, effective 12/21/90. Statutory Authority: RCW 43.20A.550. 82-02-023 (Order 1744), § 388-70-530, filed 12/30/81; Order 1037, § 388-70-530, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-540 Adoption support for children—Application. [Statutory Authority: RCW 43.20A.550 and HB 2602. 90-23-076 (Order 3101), § 388-70-540, filed 11/20/90, effective 12/21/90; Order 1037, § 388-70-540, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-550 Adoption support for children—Types and amounts of payments. [Statutory Authority: RCW 43.20A.550 and HB 2602. 90-23-076 (Order 3101), § 388-70-550, filed 11/20/90, effective 12/21/90. Statutory Authority: RCW 43.20A.550. 82-02-023 (Order 1744), § 388-70-550, filed 12/30/81. Statutory Authority: RCW 74.13.109. 80-08-028 (Order 1516), § 388-70-550, filed 6/25/80; Order 1037, § 388-70-550, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-560 Adoption support for children—Criteria governing amount of payment. [Order 1037, § 388-70-560, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-570 Adoption support for children—Agreement for adoption support. [Statutory Authority: RCW 43.20A.550. 82-02-023 (Order 1744), § 388-70-570, filed 12/30/81; Order 1037, § 388-70-570, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-580 Adoption support for children—Review of support payment. [Order 1037, § 388-70-580, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-590 Adoption support for children—Appeal from secretary's decision—Hearing. [Statutory Authority: RCW 34.05.220 (1)(a) and 74.13.109. 90-04-072 (Order 2995), § 388-70-590, filed 2/5/90, effective 3/1/90; Order 1037, § 388-70-590, filed 7/29/75.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-595 Reimbursement for nonrecurring adoption finalization costs. [Statutory Authority: RCW 43.20A.550 and HB 2602. 90-23-076 (Order 3101), § 388-70-595, filed 11/20/90, effective 12/21/90.] Repealed by 01-08-045, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.
- 388-70-700 Juvenile records. [Statutory Authority: RCW 74.08.090 and 1979 c 155. 79-10-026 (Order 1431), § 388-70-700, filed 9/10/79. Statutory Authority: RCW 74.08.090. 78-09-098 (Order 1335), § 388-70-700, filed 9/1/78.] Repealed by 01-08-047, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 74.13.031.

**WAC 388-70-091 Foster care planning for Indian children—Definitions.** For the purposes of these rules, the term "Indian" includes the following groups:

- (1) An enrolled Indian:
  - (a) Any person who is enrolled or eligible for enrollment in a recognized tribe.
  - (b) Any person determined, or eligible to be found, to be an Indian by the Secretary of the Interior.
  - (c) An Eskimo, Aleut or other Alaskan native.
- (2) A Canadian Indian: Any person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.
- (3) An unenrolled Indian: A person considered to be an Indian by a federally or nonfederally recognized Indian tribe or urban Indian/Alaskan native community organization.

[Order 1167, § 388-70-091, filed 10/27/76.]

**WAC 388-70-092 Foster care for Indian children—Tribal sovereignty.** Neither the licensing of Indian foster homes nor the placement and supervision of Indian children within the exterior boundaries of an Indian reservation, shall in any way abridge the sovereignty of an Indian nation or tribe nor shall compliance with these rules and regulations be deemed a relinquishment of sovereign authority by an Indian nation or tribe or by the state of Washington.

[Order 1167, § 388-70-092, filed 10/27/76.]

**WAC 388-70-093 Foster care for Indian children—Services.** Documented efforts shall be made to avoid separating the Indian child from his parents, relatives, tribe or cultural heritage. Consequently:

- (1) In the case of Indian children being placed in foster care by the department or for whom the department has supervisory responsibility, the local Indian child welfare advisory committee, predesignated by a tribal council, or appropriate urban Indian organization shall be contacted. Members of that committee will serve as resource persons for the purposes of cooperative planning and aid in placement.
- (2) The resources of the tribal government, department and the Indian community shall be used to locate the child's parents and relatives to assist in locating possible placement resources, and to assist in the development of a plan to overcome the problem that brought the child to the attention of the authorities and/or the department.

(3) In planning foster care placements for Indian children, demonstrable consideration shall be given to tribal membership, tribal culture and Indian religions. The case record shall document the reasons and circumstances of case-work decisions and consideration in those regards.

(4) The following resources for foster home placement of Indian children will be explored and followed in the following order: Relatives' homes, homes of other Indian families of same tribe, other Indian foster parents and non-Indian foster homes specifically recruited and trained in cooperation with the local Indian child welfare advisory committee to meet the special needs of Indian foster children and in the geographic proximity that will insure continuation of the parent-child relationship. The training of non-Indian foster parents shall be designed and delivered in cooperation with the above committee and/or persons designated by the committee.

(5) For each Indian child who will be in care for more than 30 days, including those for whom adoption is planned, the ESSO shall make documented effort to complete two copies of the "family ancestry chart" (except in those cases where parents specifically indicate in writing they do not want the child enrolled). One copy will be retained in the child's file; the other will be forwarded to the bureau of Indian affairs office or the department of Indian affairs agency in Canada serving that child's tribe or band. The BIA of the department of Indian affairs agency will review the chart for possible enrollment eligibility in conjunction with the enrollment committee of the appropriate tribe or urban Indian community.

(6) The ESSO shall develop its social resources and staff training programs designed to meet the special needs of Indian children through coordination with tribal, Indian health service, bureau of Indian affairs social service staff, appropriate urban Indian and Alaskan native consultants, national, state and local Indian welfare organizations and ESSO child welfare advisory committees.

(7) The ESSO shall make diligent and demonstrable efforts to recruit facilities and/or homes particularly capable of meeting the special needs of Indian children with the assistance of the local Indian child welfare advisory committees.

[Order 1167, § 388-70-093, filed 10/27/76.]

**WAC 388-70-095 Foster care for Indian children—Serious injury, death, abandonment, child abuse, neglect, incarceration.** When an Indian child in foster care dies, is seriously injured, abandoned or incarcerated, in addition to other appropriate notifications, the department shall promptly advise the ESSO Indian child welfare advisory committee and appropriate tribal council. WAC 388-15-131(4) provides for notification about child abuse/neglect incidents.

[Order 1255, § 388-70-095, filed 12/1/77; Order 1167, § 388-70-095, filed 10/27/76.]

**WAC 388-70-450 Adoptive planning for Indian children by department staff.** (1) Definitions: For the purposes of these rules the term "Indian" includes the following groups:

- (a) Enrolled Indian

(3/30/01)

- (i) Any person who is enrolled or eligible for enrollment in a recognized tribe.

- (ii) Any person determined, or eligible to be found, to be an Indian by the secretary of the interior.

- (iii) An Eskimo, Aleut or other Alaskan native.

- (b) Canadian Indian: A person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.

- (c) Unenrolled Indian: A person considered to be an Indian by a federally or nonfederally recognized tribe or urban Indian/Alaskan native community organization.

(2) An adoptive family shall be considered Indian if one or both parents are Indian by the above definitions.

(3) In adoptive planning for Indian children, the unique tribal, cultural and religious sovereignty of Indian nations, tribes and communities shall be recognized. When consistent with the wishes of the biological parents and/or the child, the adoption of Indian children by Indian families is the primary goal.

(4) Standards implementing the policy are:

- (a) Adoption exchange. In the referrals for an Indian child, adoptive homes having the following characteristics shall be given preference in the following order, each category being allowed 30 days before proceeding to the next.

- (i) An Indian family of the same tribe as the child.

- (ii) A Washington Indian family considering tribal cultural differences.

- (iii) An Indian family from elsewhere in the United States or Canada through the adoption resource exchange of North America. Attention shall be given to matching the child's tribal culture to that of the adoptive family.

- (iv) Any other family which can provide a suitable home to an Indian child, as well as instill pride and understanding in the child's tribal and cultural heritage.

- (b) Foster parent adoptions: As a part of the total evaluation for approving a foster parent adoption of an Indian child, ESSO service staff shall document the foster family's past performance and future commitment in exposing the child to its Indian tribal and cultural heritage. The child's wish to be involved in his Indian culture shall be considered.

- (c) When an Indian child, in the custody of an out-of-state agency, is referred for potential adoptive parents residing in Washington, documentation shall be obtained that assures the department's standards for planning for Indian children have been complied with.

(5) Local staff shall consult with an Indian child welfare committee in planning for placement of Indian children.

[Order 1167, § 388-70-450, filed 10/27/76.]

**WAC 388-70-600 Local Indian child welfare advisory committee—Purpose.** The intent of WAC 388-70-096, 388-70-450, and 388-70-600 through 388-70-640 is to ensure protection of the Indian identity of Indian children, their rights as Indian children, and the maximum utilization of available Indian resources for Indian children. To ensure the realization of this intent, information about each current and future case involving Indian children for whom the department of social and health services has a responsibility shall be referred to a local Indian child welfare advisory committee on

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an ongoing basis according to procedures which recognize the privacy rights of the families.

The purposes of local Indian child welfare advisory committees are:

(1) To promote relevant social service planning for Indian children.

(2) To encourage the preservation of the Indian family, tribe, heritage, and identity of each Indian child served by the department of social and health services.

(3) To assist in obtaining participation by representatives of tribal governments and Indian organizations in departmental planning for Indian children for whom the department has a responsibility.

[Order 1167, § 388-70-600, filed 10/27/76.]

**WAC 388-70-610 Local Indian child welfare advisory committee—Membership.** Local Indian child welfare committees shall be established within each region. The number and locations of the local committees shall be mutually determined by the Indian tribal governments and urban Indian organizations served by that region and the DSHS regional administrator.

(1) The committee shall consist of representatives designated by tribal government and urban Indian organizations. The regional administrator shall appoint committee members from among those individuals designated by Indian authorities. These members should be familiar with and knowledgeable about the needs of children in general as well as the particular needs of Indian children residing in the service area.

(2) The committee may also include bureau of Indian affairs and/or Indian health service staff if approved by participating tribal councils and urban Indian organizations.

(3) The DSHS regional administrator and/or the ESSO administrator shall appoint a member of his child welfare supervisory staff as a liaison member of the committee.

(4) The local Indian child welfare advisory committee is an ad hoc advisory committee not specifically authorized by statute. As such its members are not entitled to per diem and travel expenses for the performance of advisory committee functions. This rule shall not be construed, however, to prohibit expense payments to members who are otherwise qualified for and perform services compensable under other programs such as the volunteer programs.

[Order 1167, § 388-70-610, filed 10/27/76.]

**WAC 388-70-615 Local Indian child welfare advisory committee—Subcommittees.** Each committee may appoint a subcommittee of permanent members to participate in reviewing the situation of an individual child or children for the purpose of recommending future planning actions.

[Order 1167, § 388-70-615, filed 10/27/76.]

**WAC 388-70-620 Local Indian child welfare advisory committee—Functions.** (1) The functions of the local Indian child welfare advisory committee are:

(a) Assistance to DSHS staff in cooperative planning for Indian children.

(b) Consultation to DSHS staff regarding the provision of adoption, foster care and child protective services on behalf of Indian children.

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(c) Reviewing the situations of Indian children.

(d) Assisting in the implementation of recommended plans.

(e) Assisting in the recruitment of and making recommendations regarding the licensing of foster and adoptive homes for Indian children and providing culturally relevant services to Indian children.

(f) Requests the ESSO administrator to initiate reviews of casework decisions that the committee believes to be detrimental to the best interests of Indian children.

(g) Acts in an advisory capacity to the regional administrator and ESSO administrator regarding the department's implementation and monitoring of the rules related to foster care, child protection, and adoption services to Indian children and their families.

[Order 1167, § 388-70-620, filed 10/27/76.]

**WAC 388-70-630 Local Indian child welfare advisory committee—Meetings.** Each committee and the regional administrator and/or ESSO administrator will mutually agree as to time, place and frequency and conduct of official committee meetings.

[Order 1167, § 388-70-630, filed 10/27/76.]

**WAC 388-70-640 Local Indian child welfare advisory committee—Confidentiality.** The members of the local child welfare advisory committee shall agree to abide by RCW 74.04.060 and the rules of confidentiality binding the DSHS staff.

[Statutory Authority: RCW 74.15.030. 89-05-063 (Order 2743), § 388-70-640, filed 2/15/89; Order 1167, § 388-70-640, filed 10/27/76.]