

Chapter 388-160 WAC

MINIMUM LICENSING REQUIREMENTS FOR OVERNIGHT YOUTH SHELTERS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

388-160-010 Authority. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-010, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-020 Definitions. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-020, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-030 Exceptions to rules. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-030, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-040 Effect of local ordinances. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-040, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-050 Fire standards. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-050, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-050, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-060 Certification of exempt agency. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-060, filed 7/21/93, effective 8/21/93.]

	Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.		8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-070	Application or reapplication for license or certification—Investigation. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-070, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-210	Firearms and other weapons. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-210, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-080	Limitations on licenses and dual licensure. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-080, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-080, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-220	Prohibited substances. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-220, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-090	General qualifications of licensee, applicant, and persons on the premises. [Statutory Authority: RCW 74.15.030. WSR 96-10-043 (Order 3974), § 388-160-090, filed 4/26/96, effective 5/27/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-090, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-230	Storage. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-230, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-100	Age of licensee. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-100, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-240	Bedrooms and sleeping areas. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-240, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-110	Posting of license. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-110, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-250	Kitchen facilities. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-250, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-120	Licensure—Denial, suspension, or revocation. [Statutory Authority: RCW 74.15.030. WSR 96-10-043 (Order 3974), § 388-160-120, filed 4/26/96, effective 5/27/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-120, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-260	Housekeeping sink. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-260, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-130	Licensed capacity. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-130, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-270	Laundry. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-270, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-140	Discrimination prohibited. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-140, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-280	Toilets, handwashing sinks, and bathing facilities. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-280, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-150	Religious activities. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-150, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-290	Lighting. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-290, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-160	Discipline. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-160, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-300	Pest control. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-300, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-170	Corporal punishment. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-170, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-310	Sewage and liquid wastes. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-310, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-180	Abuse, neglect, or exploitation. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-180, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-320	Water supply. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-320, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-190	Site and telephone. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-190, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-340	Health and emergency policies and procedures. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-340, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
388-160-200	Equipment, safety, and maintenance. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-200, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.	388-160-350	First aid. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-350, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
		388-160-360	Medication management. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-360, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
		388-160-370	Staff health. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-370, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-

- 001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-380 HIV/AIDS education and training. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-380, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-390 Nutrition. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-390, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-400 Bedding. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-400, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-410 Overnight youth shelters—Purpose and limitations. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-410, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-420 Governing body/citizens board for overnight youth shelters. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-420, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-430 Intake. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-430, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-430, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-440 Groupings. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-440, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-460 Staffing. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-460, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-460, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-470 Supervision of youth. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-470, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-480 Child care workers—Qualifications. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-480, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-480, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-490 Program supervision. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-490, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-490, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-500 Training. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-500, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-500, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-510 Services. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-510, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-520 Client records and information—Overnight youth shelters. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-520, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-530 Personnel policies and records—Overnight youth shelters. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-530, filed 10/4/96, effective 11/4/96. Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-530, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-540 Reporting of death, injury, illness, epidemic, or child abuse. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-540, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-550 Reporting runaway youth. [Statutory Authority: RCW 74.15.030. WSR 96-21-018, § 388-160-550, filed 10/4/96, effective 11/4/96.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.
- 388-160-560 Reporting circumstantial changes. [Statutory Authority: Chapter 74.15 RCW. WSR 93-15-124 (Order 3541), § 388-160-560, filed 7/21/93, effective 8/21/93.] Repealed by WSR 01-15-001, filed 7/5/01, effective 8/5/01. Statutory Authority: Chapter 75.15 [74.15] RCW.

WAC 388-160-0005 Authority. The following rules including minimum licensing requirements for overnight youth shelters are adopted under chapter 74.15 RCW.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0005, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0015 What is the purpose of overnight youth shelters? (1) The purpose of overnight youth shelters is to provide youth with an emergency sleeping arrangements.

(2) The overnight youth shelter may be licensed to provide care for one of the following categories of youth:

(a) Youth from thirteen through seventeen years of age;

or

(b) Youth sixteen through twenty years of age.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0015, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0025 What definitions apply to this chapter? The following definitions apply to this chapter.

"Capacity" means the maximum number of children a facility is licensed to care for at a given time.

"Children's administration" means a management section of the department of social and health services responsible for many services to children including but not limited to: Child protective services, child welfare services, policy development, budget and fiscal operations.

"Compliance agreement" means a written plan of short duration with a specific ending date for completion of the plan. The agreement addresses the improvement or correction of specific issues to maintain or increase the safety and well-being of children in care.

"Department" means the department of social and health services (DSHS).

"DLR" means the division of licensed resources. A division of children's administration of the department of social and health services.

"Full licensure" means the facility licensed or approved by the department of social and health services meets all applicable licensing standards.

"I" or "you" refers to anyone who operates an overnight youth shelter.

"Overnight youth shelter" or "OYS" means a licensed facility operated by a nonprofit agency that provides overnight shelter to homeless or runaway youth. Overnight youth shelters do not provide residential care during daytime hours.

"We" refers to the department, including DLR licensors.

"Youth" means an individual who is under twenty-one years old. The term "child" or "children" may also be used in some sections.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0025, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0035 What services must be offered at a shelter? (1) At a minimum, all overnight youth shelters must offer the following services to all clients:

(a) A client identification and intake assessment including:

- (i) Emergency contacts (phone numbers);
- (ii) Areas of possible problems, such as school status, medical problems, family situation and suicide evaluation;
- (iii) History of assaultive or predatory behavior; and
- (iv) Drug and/or alcohol involvement.

(b) Individual crisis intervention;

(c) Assistance in accessing emergency resources, including child protective services (CPS) and emergency medical services; and

(d) Resource information.

(2) An overnight youth shelter must provide (as needed by the youth) information about:

- (a) Educational or vocational services;
- (b) Housing;
- (c) Medical care or services;
- (d) Substance abuse services;
- (e) Mental health services;
- (f) Other treatment agencies;
- (g) Food programs;
- (h) Disability services; and
- (i) Other DSHS services.

(3) If the overnight youth shelter cannot directly provide these services, staff must have information for referrals to programs or organizations that would provide these services to clients.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0035, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0045 What must I include in the assessment when a youth first enters a shelter? (1) When a youth first enters an overnight youth shelter, you must:

(a) Determine whether the parents are aware of the whereabouts of the youth;

(b) Determine whether an adult contact exists; and

(c) Notify the police or children's administration intake (either the local CPS number or toll-free 1-886-ENDHARM) of any youth twelve years of age or younger who is unaccompanied by an adult and is requesting service.

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(2) As part of the initial assessment, you must also assess the youth's:

- (a) Recent history;
- (b) Outstanding warrants;
- (c) Physical and medical needs, including medication;
- (d) School status;
- (e) Immediate needs for counseling; and
- (f) Options for the near future.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0045, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0055 How does the department decide how many youth I may serve in my overnight youth shelter? (1) The number of youth that an overnight youth shelter may serve is based on an evaluation of the following factors:

(a) Physical accommodations in your overnight youth shelter;

(b) The number of staff and volunteers available for providing care;

(c) The skills of your staff and volunteers; and

(d) The ages and characteristics of the people you are serving.

(2) Based on our evaluation, we may license you for the care of fewer persons than you would normally serve in your category.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0055, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0065 How old do I have to be to apply for a shelter license? You must be at least twenty-one years old to apply for a license for an overnight youth shelter.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0065, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0075 What qualifications does a person need to care for youth at an overnight youth shelter? If a person is requesting a license or a position as an employee, intern, or a volunteer at an overnight youth shelter, he/she must not:

(1) Have a history of child abuse or neglect.

(2) Be disqualified by our background check (see chapter 388-06 WAC).

(3) Have had a license denied or revoked from an agency that provides care to children or vulnerable adults, unless the department determines that the denial or revocation was not based on a factor that may pose a risk to the health, safety or welfare of children.

(4) The department may require additional information from you, your staff, interns, or volunteers. We may request this information at any time and it may include, but is not limited to any of the following evaluations and/or documentation of completed treatment:

- (a) Substance and alcohol abuse evaluations;
- (b) Psychiatric evaluations;
- (c) Psycho-sexual evaluations; and
- (d) Medical evaluations or reports.

(5) Any evaluation or information requested by the department must be supplied at the expense of the applicant or licensee.

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(6) The department must approve the evaluator providing the above services and you must give the licenser permission to speak with the evaluator before and after the evaluation.

[Statutory Authority: RCW 74.15.010, 74.15.030. WSR 05-14-013, § 388-160-0075, filed 6/22/05, effective 7/23/05. Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0075, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0085 Who must be on the premises when youth are present at an overnight youth shelter? (1) In an open or dormitory type setting, a same gender staff person must be within visual and auditory range of same gender youth at all times. The staff must be awake while on-duty.

(2) At least one fully trained lead counselor must be on the premises at all times when youth are present.

(3) A qualified program supervisor must be on call at all times when the shelter is open or youth are present (see WAC 388-160-0095 for qualifications). The program supervisor may be on-staff, on contract or available by written agreement.

(4) Staff must represent both genders to reflect the population of youth in care.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0085, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0095 What qualifications must a program supervisor have in order to work in a shelter? Every overnight youth shelter must have a program supervisor. The program supervisor must have either a:

(1) Master's degree in social work or a related field and one year of experience working with adolescents; or

(2) Bachelor's degree and three years of experience working with adolescents.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0095, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0105 What qualifications must a lead counselor have in order to work in a shelter? To work in an overnight youth shelter, lead counselors must meet the following qualifications:

(1) Be at least twenty-one years of age;

(2) Have at least one year of experience working with adolescents;

(3) Have completed HIV/AIDS/Bloodborne pathogen training;

(4) Have completed first aid and CPR; and

(5) Have completed a tuberculin test (as required under WAC 388-160-0565).

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0105, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0115 What minimum qualifications must child care staff, lead counselors, interns, and volunteers have in order to work in a shelter? (1) All child care staff, lead counselors, interns, and volunteers who work at an overnight youth shelter must be at least twenty-one years old. Note: Eighteen through twenty-year-old persons may work or volunteer at an overnight youth shelter if they are enrolled and participating in an internship program through an accredited college or university. They must be on-duty and supervised

by a fully trained staff person twenty-one years old or older.

(2) Child care staff, interns, and volunteers also must have successfully completed:

(a) A background check (see chapter 388-06 WAC);

(b) A tuberculin test (as required under WAC 388-160-0565);

(c) Current first-aid and cardiopulmonary resuscitation (CPR) training; and

(d) HIV/AIDS/Bloodborne pathogen training consistent with the department of health approved curriculum prior to beginning work with youth. If the training is not readily available, it must be completed within sixty days of beginning work.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0115, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0125 What training is required for overnight youth shelter staff, lead counselors, interns and volunteers? (1) All overnight youth shelter staff, lead counselors, interns, and volunteers must receive training before providing care for youth. The overnight youth shelter must ensure that this training includes, at a minimum, the following subjects:

(a) Job responsibilities, including the mandatory reporting requirements for licensee and their staff;

(b) Facility administration;

(c) Supervision of youth;

(d) Behavior management training in accordance with department behavior management guidelines;

(e) Fire safety procedures;

(f) Handling of emergency situations; and

(g) Current first-aid and cardiopulmonary resuscitation (CPR) training.

(2) HIV/AIDS/Bloodborne pathogen training consistent with the department of health approved curriculum must be completed prior to beginning work with youth. If the training is not readily available, it must be completed within sixty days of beginning work.

(3) An overnight youth shelter must provide on-going training to all staff, interns, and volunteers.

(a) The training must cover qualifications for each position, including supervisory skills, adolescent development and problems, and the needs of youth.

(b) The shelter's training must also include, at a minimum, classes addressing:

(i) Sexual abuse;

(ii) Predatory behavior;

(iii) Substance abuse;

(iv) Depression;

(v) Mental health;

(vi) Teen suicide;

(vii) Injurious behavior towards one's self or others; and

(viii) Cultural sensitivity.

(3) New overnight youth shelter staff, interns, and volunteers must work shifts with fully trained staff until the new person has completed all required training.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0125, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0135 What is the required ratio of staff to youth in a shelter? (1) A shelter licensed for youth who are thirteen through seventeen years old must have one staff person to every eight youth.

(2) A shelter licensed for youth who are sixteen through twenty years old must have one staff person to every six youth.

(3) A shelter must maintain the staffing ratio while youth are asleep.

(4) At least one staff person must remain awake while youth are asleep. Other staff persons may be asleep, but must be available in the shelter in case of emergency.

(5) Whenever only one staff person is required to be on duty, a second staff person must be on call.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0135, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0145 How do I apply or reapply for a license? (1) To apply or reapply for a license, the person or legal entity responsible for your overnight youth shelter must send the following information to the department licensur:

(a) The application form;

Note: If you are applying for a license renewal, you must send the application form to the department licensur ninety days prior to the expiration of your current license.

(b) A completed and signed criminal history and background inquiry form from each applicant, staff person, intern, board member and volunteer who:

(i) Is at least sixteen years old;

(ii) Is not a foster child or shelter youth; and

(iii) Has unsupervised access to youth.

(c) Written verification of:

(i) A tuberculosis test unless you have religious beliefs which prohibit the test;

(ii) First-aid and cardiopulmonary resuscitation (CPR) training; and

(iii) HIV-AIDS/Bloodborne pathogens training.

(2) If a person required to have a background check has lived in Washington state less than three years immediately prior to their application, a completed FBI fingerprint form must be provided to us for that person.

(3) We may require additional information from you including, but not limited to:

(a) Substance and alcohol abuse evaluations;

(b) Psychiatric evaluations;

(c) Psycho-sexual evaluations; and

(d) Medical evaluations.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0145, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0155 May I receive more than one type of group care license at the same physical location?

(1) If you are licensed to operate an overnight youth shelter, you may not hold a license for any other type of residential care at the same physical location.

(2) If you make it clear to us that care for one kind of client does not interfere with the care for another kind of client an exception to WAC 388-160-0155(1) may be granted. (See WAC 388-160-0175 for exceptions.)

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0155, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0165 Does the department put limitations or conditions on a person who is licensed? Even if we approve you for an overnight youth shelter license, we may put limitations or conditions on the license to ensure youth's safety and health.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0165, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0175 Does the department allow exceptions to the licensing requirements? (1) At its discretion, the department may make a written exception, and license or continue to license an overnight youth shelter that does not meet the minimum licensing requirements.

(2) Exceptions are approved for nonsafety requirements only.

(3) The safety and well-being of the youth receiving care must not be compromised.

(4) You must request an exception to the licensing requirements in writing.

(5) You must keep a copy of the approved exception to the licensing requirements for your files.

(6) Along with an exception to the licensing requirements, the department may require you to enter into a compliance agreement to ensure the safety and well-being of the youth in your care.

(7) You do not have appeal rights if the department denies your request for an exception to our requirements.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0175, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0185 Does the department issue probationary licenses? (1) The department may issue a probationary license as part of a corrective action plan with a licensed provider.

(2) The department must base its decision as to whether a probationary license will be issued on the following:

(a) Intentional or negligent noncompliance with the licensing rules;

(b) A history of noncompliance with the rules;

(c) Current noncompliance with the rules;

(d) Evidence of a good faith effort to comply; and

(e) Any other factors relevant to the specific situation.

(3) A probationary license may be issued for up to six months. At its discretion, the department may extend the probationary license for an additional six months.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0185, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0195 When must the department deny, suspend or revoke a license? (1) A license must be denied, suspended or revoked if the department decides that you cannot provide care for youth in a way that ensures their safety, health and well-being.

(2) The department must deny, suspend, or revoke your license for any of the reasons that follow.

(a) You have failed your background check (see chapter 388-06 WAC).

(b) You have been found to have committed child abuse or neglect or you treat, permit or assist in treating children in your care with cruelty, indifference, abuse, neglect, or exploitation.

(c) You or anyone on the premises had a license denied or revoked from an agency that provided care to children or vulnerable adults.

(d) You attempt to get a license by deceitful means, such as making false statements or leaving out important information on the application.

(e) You commit, permit or assist in an illegal act on the premises of a home or facility providing care to children.

(f) You are using illegal drugs, or excessively using alcohol and/or prescription drugs.

(g) You knowingly allowed employees or volunteers who made false statements on their applications to work at your agency.

(h) You repeatedly lack qualified or an adequate number of staff to care for the number and types of children under your care.

(i) You have refused to allow our authorized staff and inspectors to have requested information or access to your facility, child and program files, and/or your staff and clients.

(j) You are unable to manage the property, fiscal responsibilities, or staff in your agency.

[Statutory Authority: RCW 74.15.010, 74.15.030. WSR 06-03-047, § 388-160-0195, filed 1/10/06, effective 2/10/06; WSR 05-14-013, § 388-160-0195, filed 6/22/05, effective 7/23/05. Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0195, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0205 Are there other reasons the department must suspend my overnight youth shelter license? (1) The department must suspend your license to provide care to children, if we receive a notice from the division of child support that you are not in compliance with a support order.

Note: The governing authority is RCW 43.20A.205 and 74.20A.320.

(2) The suspension of your license for noncompliance of a support order would be effective the date you receive a notice that we received the certificate of noncompliance from the division of child support.

(3) Your license would remain suspended until you provide proof that you are in compliance with the child support order.

(4) You would not have a right to an administrative hearing based on a suspension of your license due to noncompliance of a child support order.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0205, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0215 When may the department suspend or revoke my overnight youth shelter license? A license may be suspended or revoked if you exceed the conditions of your facility license by:

(1) Having more youth than the license allows;

(2) Having youth with ages different than the license allows;

(3) Failing to provide a safe and healthy environment for youth in your care; or

(4) Failing to comply with any other licensing requirements.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0215, filed 7/5/01, effective 8/5/01.]

(1/10/06)

WAC 388-160-0225 How does the department notify me if my license is modified, denied, suspended or revoked? The department sends you a certified letter informing you of our decision to modify, deny, suspend or revoke your license. The letter will include any applicable laws or regulations and provide you with information on what to do if you disagree with the department's decision.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0225, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0235 What may I do if I disagree with the department's decision to modify, deny, suspend or revoke my license? You have the right to appeal any decision the department makes to modify, deny, suspend or revoke your license, except for circumstances identified in WAC 388-160-0205.

(1) You may request an administrative hearing if you disagree with our decision to modify, suspend, revoke or deny your license.

(2) You must request an administrative hearing within twenty-eight days of receiving a certified letter with our decision (chapter 34.05 RCW).

(3) You must send a letter to the Office of Administrative Hearings, P.O. Box 42489, Olympia, WA 98504-2489, 1-800-583-8271 requesting an administrative hearing. The letter must have the following attachments:

(a) A specific statement of your reasons for disagreeing with the decision and any laws that relate to your reasons; and

(b) A copy of the certified letter from the department containing the decision that you are disputing.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0235, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0245 What incidents involving youth must I report? (1) You or your staff must report any of the following incidents within forty-eight hours to your local children's administration child protective services intake staff:

(a) Any alleged incidents of child abuse or neglect;

(b) Any violations of the licensing requirements;

(c) Death of a child;

(d) Any youth's suicide attempt that results in injury requiring medical attention or hospitalization;

(e) Any emergent medical care to any youth in care;

(f) Any use of physical restraint that is alleged improper or excessive;

(g) Sexual contact between two or more youth;

(h) Physical assaults between two or more youth that result in injury requiring offsite medical attention or hospitalization;

(i) Unexpected health problems that require offsite medical attention;

(j) Any medication given incorrectly that required offsite medical attention;

(k) Serious property damage that is a safety hazard and is not immediately corrected.

(2) In addition to WAC 388-160-0245 (1)(a) through (k), you or your staff must report any of the following incidents to the youth's DSHS social worker, if the youth is a client of DSHS;

- (a) Suicidal/homicidal ideas, gestures or attempts that do not require professional medical attention;
- (b) Unexpected health problems that do not require professional medical attention;
- (c) Any incident of medication incorrectly administered;
- (d) Physical assaults between two or more children resulting in injury that does not require professional medical attention;
- (e) Runaways; and
- (f) Use of physical restraints for routine discipline.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0245, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0255 Are there other reporting requirements? Any occurrence of food poisoning or communicable disease must be reported to the local public health department, as required by the department of health.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0255, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0265 Do I need to report runaway youth who stay at the shelter? (1) Within eight hours of learning that a youth staying at a shelter does not have parental permission to be there, shelter staff must report the location of the youth to:

- (a) The parent;
- (b) The law enforcement agency having jurisdiction in the shelter's area; or
- (c) The department.
- (2) The shelter staff must:
 - (a) Make the report by telephone or other reasonable means; and
 - (b) Document the report in writing in the youth's file.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0265, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0275 What changes to my overnight youth shelter must I report to my licensor? (1) You must report to your licensor any changes in the information contained in your original licensing application that might cause the department to reclassify your overnight youth shelter. Changes include any of the following:

- (a) Changes in your location;
- (b) Change in the designated space, or phone number;
- (c) Changes in the maximum number, age ranges, and gender of persons you wish to serve;
- (d) Changes in the structure of your facility or premises due to events causing damage such as a fire, or caused by remodeling; or
- (e) Additions of any new staff person, intern, employee or volunteer, who might have contact with the youth in care.
- (2) A license is valid only for the person or organization named on the license.
- (3) You must also report the following changes to your licensor:

- (a) A change of your facility's chief executive;
- (b) The death, retirement, or incapacity of the person who holds the license;
- (c) A change in name of a licensed corporation, or name by which your facility is commonly known; or

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- (d) Changes in the agency's articles of incorporation and bylaws.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0275, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0285 What are the department's requirements for keeping client records? (1) Your records must be kept at your overnight youth shelter and contain, at a minimum, the following information:

- (a) The child's name and birthdate;
- (b) Daily attendance logs and referrals;
- (c) Names, address and home and business telephone numbers of parents or persons to be contacted in case of emergency;
- (d) Dates and kinds of illnesses, accidents, medications and treatments given at the shelter;
- (e) An incident log documenting the use of physical restraint; and
- (f) Other information determined relevant by the department.

(2) Identifying and personal information about the youth must be kept confidential.

(3) You must keep information about the youth and their families in a secure place.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0285, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0295 Do I need a citizens' board for my overnight youth shelter? (1) Every overnight youth shelter must have a citizens' board that complies with laws and rules for nonprofit boards of directors. If the overnight youth shelter is part of a larger agency that has a citizens' board, that board will suffice.

- (2) The shelter director must keep the following on file:
 - (a) A list of all members of the current citizens' board; and
 - (b) A copy of the articles of incorporation filed with the secretary of state verifying nonprofit status.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0295, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0305 What personnel policies must I have? The following requirements apply to licensed overnight youth shelters.

(1) Employees, interns, or volunteers with unsupervised access to youth are not allowed to have unsupervised access to youth until the department approves their background checks.

(2) If you have five or more staff, you must have written policies describing duties and qualifications of staff, and staff benefits.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0305, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0315 What personnel records must I keep? You must keep personnel records on file for each staff person and volunteer for your overnight youth shelter. These must include:

- (1) An employment application, including work and education history;

(2) Documentation of completed criminal history and background check form;

(3) A record of a negative Mantoux, tuberculin skin tests results, X ray, or an exemption to the skin test or X ray;

(4) A record of participation in HIV/AIDS education and training, including bloodborne pathogens training;

(5) A record of participation in staff development training;

(6) A record of participation in the program's orientation;

(7) Documentation of a valid food handler permit, when applicable; and

(8) A record of participation in the current first-aid/CPR/Bloodborne pathogens training.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0315, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0325 Where must I post my license?

You must post your license where it can be easily viewed by the public.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0325, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0335 What other information must I keep readily available? If you operate an overnight youth shelter, you must have the telephone number of "on-call" master's or bachelor's degree-level persons with other emergency numbers readily available for staff.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0335, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0345 Are local ordinances part of our licensing requirements? (1) Local ordinances (laws), such as zoning regulations and local building codes, fall outside the scope of our licensing requirements.

(2) The department may require you to provide proof that you have met local ordinances.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0345, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0355 What fire safety requirements must I follow to qualify for a license? If you operate an overnight youth shelter, you must follow the regulations developed by the Washington state fire marshall's office. The regulations are minimum requirements for protecting life and property against fire. You can find these contained in the Uniform Fire Code as adopted with Washington state amendments.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0355, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0365 Where may my shelter be located? (1) Your overnight youth shelter must be located on a well-drained site free from hazardous conditions. The safety of the youth in care is paramount.

(2) You must discuss with the licenser any potential hazardous conditions, considering the youth's ages and behaviors. Some examples of hazards are natural or man-made water hazards such as lakes or streams, steep banks, ravines, and busy streets.

(1/10/06)

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0365, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0375 May I have firearms in my overnight youth shelter? (1) You may not have firearms or other weapons on the premises.

(2) Firearms and weapons that are confiscated from youth must be locked up and given to law enforcement officers as soon as possible.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0375, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0385 What substances are prohibited at overnight youth shelters? (1) During operating hours when youth are in care, no staff, intern, or volunteer on the premises or caring for youth offsite may be under the influence of, consume, or possess alcoholic beverages or illegal drugs.

(2) You must prohibit smoking in:

(a) Your facility while caring for youth; and

(b) Any motor vehicles transporting youth.

(3) You may permit adults to smoke outdoors away from youth.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0385, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0395 What are your requirements for storing dangerous items? (1) You must lock the following items:

(a) Cleaning supplies,

(b) Toxic substances,

(c) Poisons,

(d) Aerosols,

(e) Items with warning labels.

(2) You must label containers filled from a stock supply. The labels must identify all contents.

(3) Toxic substances must be stored separately from food items.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0395, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0405 Do I need to have first-aid supplies? (1) You must keep first-aid supplies on hand for immediate use, including unexpired syrup of ipecac that is to be used only when following the instructions of the poison control center.

(2) The following first-aid supplies must be kept on hand:

(a) Barrier gloves and one-way resuscitation mask;

(b) Ace bandage and band-aids;

(c) Scissors and tweezers;

(d) Gauze; and

(e) Thermometer.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0405, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0415 What structural safety requirements must my facility meet? You must keep your equipment and the physical structures in your facility safe and clean for the youth you serve. At a minimum you must:

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(1) Maintain your buildings, premises, and equipment in a clean and sanitary condition, free of hazards and in good repair;

(2) Provide handrails for steps if the department decides handrails are necessary for safety;

(3) Have emergency lighting devices available and in operating condition;

(4) Refinish all flaking or deteriorating lead-based paint with lead-free paint or other nontoxic material for exterior and interior wall surfaces and equipment;

(5) Have washable, water-resistant floors in the facility's toilet rooms, kitchen, and other rooms exposed to moisture;

Exception: We may approve washable, short-pile carpeting that is kept clean and sanitary for your facility's kitchen.

(6) Have easy access to rooms occupied by youth in case an emergency arises.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0415, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0425 What measures must I take for pest control? You must keep the premises free from pests, such as rodents, flies, cockroaches, fleas, and other insects using the least toxic methods.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0425, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0435 What are your requirements for kitchens? If your overnight youth shelter provides food service, you must ensure:

(1) The proper storage, preparation, and service of food to meet the needs of the youth; and

(2) Provide the facilities and implement practices as required by the rules and regulations of the department of health that govern food service sanitation (see chapter 246-215 WAC).

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0435, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0445 What are the requirements for bedrooms in shelters? You must comply with the following requirements for bedrooms:

(1) Provide sleeping areas at least fifty square feet per occupant of unobstructed floor area with a ceiling height of at least seven feet, six inches;

(2) Not use hallways and kitchens as sleeping rooms;

(3) Maintain a space that is at least thirty inches between sleeping youths;

(4) Provide sleeping areas separated by a visual barrier five feet high or more for gender; and

(5) Separate youth under eighteen years old from youth who are eighteen through twenty years old by having a staff or volunteer supervise open space or have a physical barrier to prevent contact.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0445, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0455 What are your requirements for bedding? (1) An overnight youth shelter providing youth

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with sleeping equipment and bedding must keep the equipment and bedding in good repair, clean, and sanitary.

(2) The shelter must accept the use of sleeping and bedding equipment that is personally provided by the youth if it is not a health or safety risk.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0455, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0465 What telephone requirements must I follow? The department has two requirements for the telephone that you must meet at your overnight youth shelter.

(1) You must have at least one telephone on the premises for incoming and outgoing calls. The telephone must be accessible for emergency use at all times.

(2) You must post emergency phone numbers next to the phone.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0465, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0475 What are the lighting requirements for my overnight youth shelter? You must locate light fixtures and provide lighting that promotes good visibility and comfort for the youth.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0475, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0485 What are the requirements about drinking water? You must provide:

(1) A public water supply or a private water supply approved by the local health authority prior to the time of licensing or relicensing; and

(2) Disposable paper cups, individual drinking cups or glasses, or inclined-jet type drinking fountains.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0485, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0495 What are your requirements for laundry facilities? The department has specific requirements for laundry facilities at your overnight youth shelter. You must:

(1) Have separate and adequate facilities for storing soiled and clean linen;

(2) Provide adequate laundry and drying equipment or make other arrangements for getting laundry done on a regular basis; and

(3) Locate laundry equipment in an area separate from the kitchen.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0495, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0505 What are the requirements for washing clothes? You must sanitize laundry contaminated with urine, feces, lice, scabies, or other potentially infectious materials through temperature or chemical measures.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0505, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0515 What are the requirements for toilets, sinks, and bathing facilities in shelters? You must provide:

(1) Two or more indoor flush-type toilets close to handwashing sinks with hot and cold running water;

(2) One toilet and sink for the first eight youth, with a second toilet and sink when four more youth are on the premises;

(3) Privacy for persons of the opposite sex at toilets and any bathing facilities;

(4) Hot and cold running water not exceeding one hundred twenty degrees Fahrenheit at handwashing sinks, and bathing facilities;

(5) A conveniently located grab bar or nonslip floor surfaces in any bathing facilities;

(6) Urinals instead of toilets as long as only urinals do not replace more than one-third of the total required number of toilets; and

(7) Dispenser soap and individual towels, disposable towels, or other approved single-use hand drying devices, at handwashing sinks, and any bathing facilities.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0515, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0525 Do overnight youth shelters require a housekeeping sink? An overnight youth shelter must have and use a method of drawing clean mop water and disposing of wastewater.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0525, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0535 What are the requirements for sewage and liquid wastes? An overnight youth shelter must discharge sewage and liquid wastes into a public sewer system or into a functioning septic system.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0535, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0545 What health and emergency policies and procedures must I have? (1) An overnight youth shelter must have current written health policies and procedures including, but not limited to:

(a) First aid;

(b) Infection control;

(c) Care of minor illnesses; and

(d) General health practices and actions to be taken in event of medical and other emergencies.

(2) Health policies and procedures must be readily available for staff orientation and implementation.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0545, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0555 How must I manage medications for youth at my shelter? An overnight youth shelter must requirements for manage nonprescription and prescription medications by:

(1) Place any medication brought into the shelter by a youth in locked storage so it is unavailable to other youth in care;

(2) Supervise youth who take their own medication according to the prescription or manufacturer's instructions; and

(3) Properly dispose of medications that are no longer being taken.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0555, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0565 What must I do to prevent the spread of infections and communicable diseases? (1) You must take precautions to guard against infections and communicable diseases infecting the youth in care in your overnight youth shelter.

(2) Staff with a reportable communicable disease, as defined by the department of health, in an infectious stage must not be on duty until the staff has a physician's approval for returning to work.

(3) Those persons who have been approved for unsupervised access to children in an overnight youth shelter facility must have a tuberculin (TB) skin test by the Mantoux method of testing. They must have this skin test prior to being employed, volunteering, or being licensed unless:

(a) The person has evidence of testing within the previous twelve months;

(b) The person has evidence that they have a negative chest X ray since a previously positive skin test;

(c) The person has evidence of having completed adequate preventive therapy or adequate therapy for active tuberculosis; or

(d) A physician indicates that the test is medically unadvisable.

(4) Persons whose tuberculosis skin test is positive must have a chest X ray within thirty days following the skin test.

(5) The department does not require retesting unless a person believes they have been exposed to someone with tuberculosis or if testing is recommended by their health care provider.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0565, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0575 What nutritional guidelines must I follow? An overnight youth shelter providing meals must consider the age, cultural background, and nutritional requirements of youth served when preparing meals.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0575, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0585 What are your requirements for protecting a youth under my care from child abuse and neglect? As part of ensuring health, welfare and safety, you must protect youth in your care from all forms of child abuse and neglect (see RCW 26.44.020(12)).

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0585, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0595 What are the requirements about nondiscrimination? Overnight youth shelters must follow all state and federal laws regarding nondiscrimination while providing services to youth in care.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0595, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0605 What religious activities are allowed in overnight youth shelters? (1) You must respect the religious rights of the youth in care.

(2) Youth have the right to practice their own faith.

(3) Youth have the right not to practice another person's or any faith.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0605, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0615 How much supervision is required for child care staff and volunteers? The program supervisor must provide two hours of supervision for each forty hours that child care staff and volunteers work at overnight youth shelters.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0615, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0625 What requirements must I follow when disciplining youth? (1) You are responsible for disciplining youth in your care. This responsibility must not be delegated to any nonstaff, including youth in care.

(2) You must write down your disciplinary practices and include these with your application for a license.

(3) Discipline must be:

(a) Based on an understanding of the individual's needs and stage of development;

(b) Designed to help the youth under your care to develop inner control, acceptable behavior and respect for the rights of others; and

(c) Fair, reasonable, consistent, and related to the individual's behavior.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0625, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0635 What types of disciplinary practices are forbidden? (1) You must not use cruel, unusual, frightening, unsafe or humiliating discipline practices, including but not limited to:

(a) Spanking the youth with a hand or object;

(b) Biting, jerking, kicking, or shaking the youth;

(c) Pulling the youth's hair;

(d) Throwing the youth;

(e) Purposely inflicting pain as a punishment;

(f) Name calling, using derogatory comments, or abusing the youth verbally; and

(g) Threatening the youth with physical harm.

(2) You must not use methods that interfere with a youth's basic needs, including but not limited to:

(a) Depriving the youth of sleep;

(b) Depriving the youth of adequate food, clothing or shelter; or

(c) Interfering with a youth's ability to take care of their own hygiene and toilet needs.

(3) You must not use methods that deprive a youth of necessary services, including:

(a) Access to the youth's legal representative;

(b) DSHS social worker, if one is assigned; or

(c) Emergency medical or dental care.

(4) You must not use medication in an amount or frequency other than that prescribed by a physician or psychiatrist.

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(5) You must not use medications for a youth that have been prescribed for someone else.

(6) You must not physically lock doors or windows in a way that prohibits a youth from exiting.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0635, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0645 What types of physical restraint are acceptable for youth in overnight youth shelters? (1)

If your overnight youth shelter is approved for the use of physical restraint, the licensee and staff must be trained in the appropriate use of restraining techniques in accordance with the department's behavior management policy before restraining a youth. Restraint training must be nationally recognized and DLR approved.

(2) You must use other efforts to redirect or de-escalate the situation before using a physical restraint.

(3) If a youth's behavior poses an immediate risk to physical safety you may use physical restraint that is reasonable and necessary to:

(a) Protect youth on the premises from harming themselves or others; or

(b) Protect property from serious damage.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0645, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0655 What types of physical restraint are not acceptable in overnight youth shelters? (1) You must not use physical restraint as a form of punishment.

(2) You must not use mechanical restraints, such as handcuffs and belt restraints.

(3) You must not use locked time-out rooms.

(4) You must not use physical restraint techniques that restrict breathing, inflict pain as a strategy for behavior control or might injure a youth. These include, but are not limited to:

(a) An adult sitting on or straddling a youth;

(b) Sleeper holds, which are holds used by law enforcement officers to subdue a person;

(c) Arm twisting;

(d) Hair holds;

(e) Youth being thrown against walls, furniture, or other large immobile objects;

(f) Choking or putting arms around a throat;

(g) Restriction of body movement by placing pressure on joints, chest, heart, or vital organs; or

(h) Chemical restraints, except prescribed medication, including but not limited to pepper spray.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0655, filed 7/5/01, effective 8/5/01.]

WAC 388-160-0665 Do I need to document instances when physical restraint is used? (1) You must document all instances of the use of physical restraints and follow the behavior management policy of children's administration regarding the information to be reported. You must keep a copy of this document at your overnight youth shelter. At a minimum, you must record:

(a) The youth's name and age;

(b) The date of the use of the restraint;

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- (c) The time in and out of the restraint;
 - (d) The events preceding the behavior that lead to using the restraint;
 - (e) The de-escalation methods that were used;
 - (f) Names of those involved in the restraint and any observers;
 - (g) A description of the type of restraint used;
 - (h) A description of injuries to the youth, or others, including caregivers;
 - (i) An analysis of how the restraint might have been avoided; and
 - (j) The signature of the person making the report.
- (2) Additional information on behavior management and the use of physical restraints can be obtained from the department.

[Statutory Authority: Chapter 75.15 [74.15] RCW. WSR 01-15-001, § 388-160-0665, filed 7/5/01, effective 8/5/01.]