

2SHB 2002 - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 03/01/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 74.13.031 and 2004 c 183 s 3 are each amended to read
4 as follows:

5 The department shall have the duty to provide child welfare
6 services and shall:

7 (1) Develop, administer, supervise, and monitor a coordinated and
8 comprehensive plan that establishes, aids, and strengthens services for
9 the protection and care of runaway, dependent, or neglected children.

10 (2) Within available resources, recruit an adequate number of
11 prospective adoptive and foster homes, both regular and specialized,
12 i.e. homes for children of ethnic minority, including Indian homes for
13 Indian children, sibling groups, handicapped and emotionally disturbed,
14 teens, pregnant and parenting teens, and annually report to the
15 governor and the legislature concerning the department's success in:
16 (a) Meeting the need for adoptive and foster home placements; (b)
17 reducing the foster parent turnover rate; (c) completing home studies
18 for legally free children; and (d) implementing and operating the
19 passport program required by RCW 74.13.285. The report shall include
20 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

21 (3) Investigate complaints of any recent act or failure to act on
22 the part of a parent or caretaker that results in death, serious
23 physical or emotional harm, or sexual abuse or exploitation, or that
24 presents an imminent risk of serious harm, and on the basis of the
25 findings of such investigation, offer child welfare services in
26 relation to the problem to such parents, legal custodians, or persons
27 serving in loco parentis, and/or bring the situation to the attention
28 of an appropriate court, or another community agency: PROVIDED, That
29 an investigation is not required of nonaccidental injuries which are
30 clearly not the result of a lack of care or supervision by the child's

1 parents, legal custodians, or persons serving in loco parentis. If the
2 investigation reveals that a crime against a child may have been
3 committed, the department shall notify the appropriate law enforcement
4 agency.

5 (4) Offer, on a voluntary basis, family reconciliation services to
6 families who are in conflict.

7 (5) Monitor out-of-home placements, on a timely and routine basis,
8 to assure the safety, well-being, and quality of care being provided is
9 within the scope of the intent of the legislature as defined in RCW
10 74.13.010 and 74.15.010, and annually submit a report measuring the
11 extent to which the department achieved the specified goals to the
12 governor and the legislature.

13 (6) Have authority to accept custody of children from parents and
14 to accept custody of children from juvenile courts, where authorized to
15 do so under law, to provide child welfare services including placement
16 for adoption, and to provide for the physical care of such children and
17 make payment of maintenance costs if needed. Except where required by
18 Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency
19 which receives children for adoption from the department shall
20 discriminate on the basis of race, creed, or color when considering
21 applications in their placement for adoption.

22 (7) Have authority to provide temporary shelter to children who
23 have run away from home and who are admitted to crisis residential
24 centers.

25 (8) Have authority to purchase care for children; and shall follow
26 in general the policy of using properly approved private agency
27 services for the actual care and supervision of such children insofar
28 as they are available, paying for care of such children as are accepted
29 by the department as eligible for support at reasonable rates
30 established by the department.

31 (9) Establish a children's services advisory committee which shall
32 assist the secretary in the development of a partnership plan for
33 utilizing resources of the public and private sectors, and advise on
34 all matters pertaining to child welfare, licensing of child care
35 agencies, adoption, and services related thereto. At least one member
36 shall represent the adoption community.

37 (10)(a) Have authority to provide continued foster care or group
38 care (~~for individuals from eighteen through twenty years of age to~~

1 ~~enable them to complete their high school or vocational school~~
2 ~~program)) as needed to participate in or complete a high school or~~
3 ~~vocational school program.~~

4 (b)(i) Beginning in 2006, the department has the authority to allow
5 up to fifty youth reaching age eighteen to continue in foster care or
6 group care as needed to participate in or complete a posthigh school
7 academic or vocational program, and to receive necessary support and
8 transition services.

9 (ii) In 2007 and 2008, the department has the authority to allow up
10 to fifty additional youth per year reaching age eighteen to remain in
11 foster care or group care as provided in (b)(i) of this subsection.

12 (iii) A youth who remains eligible for such placement and services
13 pursuant to department rules may continue in foster care or group care
14 until the youth reaches his or her twenty-first birthday. Eligibility
15 requirements shall include active enrollment in a posthigh school
16 academic or vocational program and maintenance of a 2.0 grade point
17 average.

18 (11) Refer cases to the division of child support whenever state or
19 federal funds are expended for the care and maintenance of a child,
20 including a child with a developmental disability who is placed as a
21 result of an action under chapter 13.34 RCW, unless the department
22 finds that there is good cause not to pursue collection of child
23 support against the parent or parents of the child. Cases involving
24 individuals age eighteen through twenty shall not be referred to the
25 division of child support unless required by federal law.

26 (12) Have authority within funds appropriated for foster care
27 services to purchase care for Indian children who are in the custody of
28 a federally recognized Indian tribe or tribally licensed child-placing
29 agency pursuant to parental consent, tribal court order, or state
30 juvenile court order; and the purchase of such care shall be subject to
31 the same eligibility standards and rates of support applicable to other
32 children for whom the department purchases care.

33 Notwithstanding any other provision of RCW 13.32A.170 through
34 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
35 services to be provided by the department of social and health services
36 under subsections (4), (6), and (7) of this section, subject to the
37 limitations of these subsections, may be provided by any program

1 offering such services funded pursuant to Titles II and III of the
2 federal juvenile justice and delinquency prevention act of 1974.

3 (13) Within amounts appropriated for this specific purpose, provide
4 preventive services to families with children that prevent or shorten
5 the duration of an out-of-home placement.

6 (14) Have authority to provide independent living services to
7 youths, including individuals who have attained eighteen (~~through~~
8 ~~twenty~~) years of age, and have not attained twenty-one years of age
9 who are or have been in foster care.

10 NEW SECTION. Sec. 2. Nothing in this act shall be construed to
11 create:

- 12 (1) An entitlement to services;
- 13 (2) Judicial authority to extend the jurisdiction of juvenile court
14 in a proceeding under chapter 13.34 RCW to a youth who has attained
15 eighteen years of age or to order the provision of services to the
16 youth; or
- 17 (3) A private right of action or claim on the part of any
18 individual, entity, or agency against the department of social and
19 health services or any contractor of the department.

20 NEW SECTION. Sec. 3. The department of social and health services
21 is authorized to adopt rules establishing eligibility for independent
22 living services and placement for youths under this act.

23 NEW SECTION. Sec. 4. (1) Beginning in July 2008 and subject to
24 the approval of its governing board, the Washington state institute for
25 public policy shall conduct a study measuring the outcomes for foster
26 youth who have received continued support pursuant to RCW
27 74.13.031(10). The study should include measurements of any savings to
28 the state and local government. The institute shall issue a report
29 containing its preliminary findings to the legislature by December 1,
30 2008, and a final report by December 1, 2009.

31 (2) The institute is authorized to accept nonstate funds to conduct
32 the study required in subsection (1) of this section."

2SHB 2002 - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 03/01/2006

1 On page 1, line 3 of the title, after "birthday;" strike the
2 remainder of the title and insert "amending RCW 74.13.031; and creating
3 new sections."

--- END ---