

SHB 2985 - 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 "NEW SECTION. **Sec. 1.** The legislature recognizes that foster
4 children have enhanced health care needs and that it is necessary to
5 improve the system of providing health care for foster children. The
6 legislature further recognizes the importance of meeting the mental
7 health needs of children in foster care, as well as their medical and
8 dental health care needs. The legislature finds that there must be
9 greater coordination and integration of systems, in particular
10 coordination between children's administration and the health and
11 recovery services administration as well as other agencies that provide
12 or pay for health services for foster youth, to ensure that the health
13 care needs of children in foster care are met in a timely manner.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34 RCW
15 to read as follows:

16 Whenever a child is ordered removed from his or her home pursuant
17 to this chapter, the agency charged with his or her care may authorize
18 an evaluation and treatment for the child's routine and necessary
19 medical, dental, or mental health care, and all necessary emergency
20 care.

21 **Sec. 3.** RCW 74.13.031 and 2004 c 183 s 3 are each amended to read
22 as follows:

23 The department shall have the duty to provide child welfare
24 services and shall:

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

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

12 (3) Investigate complaints of any recent act or failure to act on
13 the part of a parent or caretaker that results in death, serious
14 physical or emotional harm, or sexual abuse or exploitation, or that
15 presents an imminent risk of serious harm, and on the basis of the
16 findings of such investigation, offer child welfare services in
17 relation to the problem to such parents, legal custodians, or persons
18 serving in loco parentis, and/or bring the situation to the attention
19 of an appropriate court, or another community agency: PROVIDED, That
20 an investigation is not required of nonaccidental injuries which are
21 clearly not the result of a lack of care or supervision by the child's
22 parents, legal custodians, or persons serving in loco parentis. If the
23 investigation reveals that a crime against a child may have been
24 committed, the department shall notify the appropriate law enforcement
25 agency.

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

28 (5) Monitor out-of-home placements, on a timely and routine basis,
29 to assure the safety, well-being, and quality of care being provided is
30 within the scope of the intent of the legislature as defined in RCW
31 74.13.010 and 74.15.010, and annually submit a report measuring the
32 extent to which the department achieved the specified goals to the
33 governor and the legislature.

34 (6) Have authority to accept custody of children from parents and
35 to accept custody of children from juvenile courts, where authorized to
36 do so under law, to provide child welfare services including placement
37 for adoption, to provide for the routine and necessary medical, dental,
38 and mental health care, or necessary emergency care of the children,

1 and to provide for the physical care of such children and make payment
2 of maintenance costs if needed. Except where required by Public Law
3 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
4 children for adoption from the department shall discriminate on the
5 basis of race, creed, or color when considering applications in their
6 placement for adoption.

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

10 (8) Have authority to purchase care for children; and shall follow
11 in general the policy of using properly approved private agency
12 services for the actual care and supervision of such children insofar
13 as they are available, paying for care of such children as are accepted
14 by the department as eligible for support at reasonable rates
15 established by the department.

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

22 (10) Have authority to provide continued foster care or group care
23 for individuals from eighteen through twenty years of age to enable
24 them to complete their high school or vocational school program.

25 (11) Refer cases to the division of child support whenever state or
26 federal funds are expended for the care and maintenance of a child,
27 including a child with a developmental disability who is placed as a
28 result of an action under chapter 13.34 RCW, unless the department
29 finds that there is good cause not to pursue collection of child
30 support against the parent or parents of the child.

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

1 Notwithstanding any other provision of RCW 13.32A.170 through
2 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
3 services to be provided by the department of social and health services
4 under subsections (4), (6), and (7) of this section, subject to the
5 limitations of these subsections, may be provided by any program
6 offering such services funded pursuant to Titles II and III of the
7 federal juvenile justice and delinquency prevention act of 1974.

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

11 (14) Have authority to provide independent living services to
12 youths, including individuals eighteen through twenty years of age, who
13 are or have been in foster care.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.13 RCW
15 to read as follows:

16 Within existing resources, the department shall establish a foster
17 care health unit within the children's administration. The children's
18 administration and the health and recovery services administration
19 within the department shall integrally collaborate to accomplish the
20 following tasks:

21 (1) The health unit shall review and provide recommendations to the
22 legislature by September 1, 2006, regarding issues including, but not
23 limited to, the following:

24 (a) Creation of an office within the department to consolidate and
25 coordinate physical, dental, and mental health services provided to
26 children who are in the custody of the department;

27 (b) Alternative payment structures for health care organization.
28 The department may consider managed care as an alternative structure
29 for health care. The department may not implement managed care for
30 health care services for children in foster care for cost containment
31 purposes; however, the department may institute managed care if the
32 managed care is in the foster child's best interest;

33 (c) Improving coordination of health care for children in foster
34 care, including medical, dental, and mental health care;

35 (d) Improving access to health information available to the
36 children's administration for providers of health services for children

1 in foster care, including the use of the child profile as a means to
2 facilitate access to such information;

3 (e) Establishing a medical home for each child placed in foster
4 care to ensure that appropriate, timely, and necessary quality care is
5 available through a coordinated system of care and analyzing how a
6 medical home might be utilized to meet the unique needs of children in
7 foster care. In establishing a medical home, the department shall
8 consider primary care that is accessible, continuous, comprehensive,
9 family centered, coordinated, compassionate, and culturally effective;

10 (f) Examining how existing resources are being utilized to provide
11 health care for foster children and options for improving how the
12 resources are utilized. Particular emphasis shall be placed on the
13 following:

14 (i) Whether the health care services provided to foster children
15 are evidence-based;

16 (ii) Whether resources are duplicative or redundant between
17 agencies or departments in the provision of medical, dental, or mental
18 health services for children; and

19 (iii) Identification of where resources are inadequate to meet the
20 routine and necessary medical, dental, and mental health needs of
21 children in foster care; and

22 (g) Any other issues related to medical, dental, or mental health
23 care for children in foster care.

24 (2)(a) The foster care health unit, in collaboration with regional
25 medical consultants, shall develop a statewide, uniform role for the
26 regional medical consultants with emphasis placed on the mental health
27 needs of the children in foster care.

28 (b) By September 1, 2006, the department shall implement the
29 utilization of the statewide, uniform role for the regional medical
30 consultants developed in (a) of this subsection.

31 (3) This section expires January 1, 2007."

ADOPTED 03/01/2006

1 On page 1, line 2 of the title, after "services;" strike the
2 remainder of the title and insert "amending RCW 74.13.031; adding a new
3 section to chapter 13.34 RCW; adding a new section to chapter 74.13
4 RCW; creating a new section; and providing an expiration date."

--- END ---