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SENATE BILL 5873

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State of Washington

59th Legislature

2005 Regular Session

By Senators Stevens, Hargrove, Regala, Carrell, Mulliken, Schmidt, Zarelli, Deccio, Benson, McCaslin, Delvin, Brandland, Johnson, Hewitt, Kohl-Welles and Pflug

Read first time 02/10/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to duties of the family and children's ombudsman;  
2 and amending RCW 43.06A.030.

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

4 **Sec. 1.** RCW 43.06A.030 and 1996 c 131 s 4 are each amended to read  
5 as follows:

6 The ombudsman shall perform the following duties:

7 (1) Provide information as appropriate on the rights and  
8 responsibilities of individuals receiving family and children's  
9 services, and on the procedures for providing these services;

10 (2) Investigate, upon his or her own initiative or upon receipt of  
11 a complaint, an administrative act alleged to be contrary to law, rule,  
12 or policy, imposed without an adequate statement of reason, or based on  
13 irrelevant, immaterial, or erroneous grounds; however, the ombudsman  
14 may decline to investigate any complaint as provided by rules adopted  
15 under this chapter;

16 (3) Monitor the procedures as established, implemented, and  
17 practiced by the department to carry out its responsibilities in  
18 delivering family and children's services with a view toward

1 appropriate preservation of families and ensuring children's health and  
2 safety;

3 (4) Review periodically the facilities and procedures of state  
4 institutions serving children, and state-licensed facilities or  
5 residences;

6 (5) Assess individual casework of randomly chosen caseload-carrying  
7 child protective services and child welfare services employees of the  
8 department of social and health services throughout the state.  
9 Casework reviewed must be from any currently open cases and cases  
10 closed within the last year.

11 (i) Assessment must address employee compliance with the following:  
12 (A) Employee training; (B) department policies and procedures; (C)  
13 state and federal law; (D) safety and risk assessment; and (E) case  
14 investigation.

15 (ii) Assessment must include caseload levels and access to clerical  
16 support.

17 (b) Assess supervisors of caseload-carrying child protective  
18 services and child welfare services employees of the department for  
19 compliance with: (i) Employee training requirements; (ii) department  
20 policies and procedures; (iii) state and federal law; (iv) critical  
21 thinking and clinical analysis; (v) availability to and communication  
22 with staff; and (vi) accountability.

23 (6) Recommend changes in ((the)) agency policies or procedures for  
24 addressing the needs of families and children;

25 ((+6+)) (7) Submit annually to the legislative children's oversight  
26 committee and to the governor by November 1 a report analyzing the work  
27 of the office including recommendations for changes in department  
28 policy, state law, or funding;

29 ((+7+)) (8) Grant the legislative children's oversight committee  
30 access to all relevant records in the possession of the ombudsman  
31 unless prohibited by law; and

32 (8) Adopt rules necessary to implement this chapter.

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