
ENGROSSED SECOND SUBSTITUTE SENATE BILL 5405

State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Murray, Tom, Kohl-Welles, Darneille, Hobbs, Harper, and Frockt)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to extended foster care services; amending RCW
2 13.34.145, 13.34.267, 74.13.020, and 74.13.031; reenacting and amending
3 RCW 13.34.030, 74.13.020, and 74.13.031; creating new sections;
4 providing an effective date; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the federal
7 fostering connections to success and increasing adoptions act of 2008
8 provides important new opportunities to increase the impact of state
9 funding through maximizing the amount of federal funding available to
10 promote permanency and positive outcomes for dependent youth.

11 (2) The legislature also finds that children and adolescents who
12 are legal dependents of Washington state have experienced significant
13 trauma and loss, putting them at increased risk for poor life outcomes.
14 Longitudinal research on the adult functioning of former foster youth
15 indicates a disproportionate likelihood that youth aging out of foster
16 care and those who spent several years in care will experience poor
17 outcomes in a variety of areas, including limited human capital upon
18 which to build economic security and inability to fully take advantage
19 of secondary and postsecondary educational opportunities, untreated

1 mental or behavioral health problems, involvement in the criminal
2 justice and corrections systems, and early parenthood combined with
3 second-generation child welfare involvement.

4 (3) The legislature further finds that research also demonstrates
5 that access to adequate and appropriate supports during the period of
6 transition from foster care to independence can have significant
7 positive impacts on adult functioning and can improve outcomes relating
8 to educational attainment and postsecondary enrollment, employment and
9 earnings, and reduced rates of teen pregnancies.

10 **Sec. 2.** RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each
11 reenacted and amended to read as follows:

12 For purposes of this chapter:

13 (1) "Abandoned" means when the child's parent, guardian, or other
14 custodian has expressed, either by statement or conduct, an intent to
15 forego, for an extended period, parental rights or responsibilities
16 despite an ability to exercise such rights and responsibilities. If
17 the court finds that the petitioner has exercised due diligence in
18 attempting to locate the parent, no contact between the child and the
19 child's parent, guardian, or other custodian for a period of three
20 months creates a rebuttable presumption of abandonment, even if there
21 is no expressed intent to abandon.

22 (2) "Child," "juvenile," and "youth" means:

- 23 (a) Any individual under the age of eighteen years; or
- 24 (b) Any individual age eighteen to twenty-one years who is eligible
25 to receive and who elects to receive the extended foster care services
26 authorized under RCW 74.13.031. A youth who remains dependent and who
27 receives extended foster care services under RCW 74.13.031 shall not be
28 considered a "child" under any other statute or for any other purpose.

29 (3) "Current placement episode" means the period of time that
30 begins with the most recent date that the child was removed from the
31 home of the parent, guardian, or legal custodian for purposes of
32 placement in out-of-home care and continues until: (a) The child
33 returns home; (b) an adoption decree, a permanent custody order, or
34 guardianship order is entered; or (c) the dependency is dismissed,
35 whichever occurs first.

36 (4) "Department" means the department of social and health
37 services.

1 (5) "Dependency guardian" means the person, nonprofit corporation,
2 or Indian tribe appointed by the court pursuant to this chapter for the
3 limited purpose of assisting the court in the supervision of the
4 dependency.

5 (6) "Dependent child" means any child who:

6 (a) Has been abandoned;

7 (b) Is abused or neglected as defined in chapter 26.44 RCW by a
8 person legally responsible for the care of the child;

9 (c) Has no parent, guardian, or custodian capable of adequately
10 caring for the child, such that the child is in circumstances which
11 constitute a danger of substantial damage to the child's psychological
12 or physical development; or

13 (d) Is receiving extended foster care services, as authorized by
14 RCW 74.13.031.

15 (7) "Developmental disability" means a disability attributable to
16 intellectual disability, cerebral palsy, epilepsy, autism, or another
17 neurological or other condition of an individual found by the secretary
18 to be closely related to an intellectual disability or to require
19 treatment similar to that required for individuals with intellectual
20 disabilities, which disability originates before the individual attains
21 age eighteen, which has continued or can be expected to continue
22 indefinitely, and which constitutes a substantial limitation to the
23 individual.

24 (8) "Extended foster care services" means residential and other
25 support services the department is authorized to provide under RCW
26 74.13.031. These services may include placement in licensed, relative,
27 or otherwise approved care, or supervised independent living settings;
28 assistance in meeting basic needs; independent living services; medical
29 assistance; and counseling or treatment.

30 (9) "Guardian" means the person or agency that: (a) Has been
31 appointed as the guardian of a child in a legal proceeding, including
32 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the
33 legal right to custody of the child pursuant to such appointment. The
34 term "guardian" does not include a "dependency guardian" appointed
35 pursuant to a proceeding under this chapter.

36 (10) "Guardian ad litem" means a person, appointed by the court to
37 represent the best interests of a child in a proceeding under this
38 chapter, or in any matter which may be consolidated with a proceeding

1 under this chapter. A "court-appointed special advocate" appointed by
2 the court to be the guardian ad litem for the child, or to perform
3 substantially the same duties and functions as a guardian ad litem,
4 shall be deemed to be guardian ad litem for all purposes and uses of
5 this chapter.

6 (11) "Guardian ad litem program" means a court-authorized volunteer
7 program, which is or may be established by the superior court of the
8 county in which such proceeding is filed, to manage all aspects of
9 volunteer guardian ad litem representation for children alleged or
10 found to be dependent. Such management shall include but is not
11 limited to: Recruitment, screening, training, supervision, assignment,
12 and discharge of volunteers.

13 (12) "Housing assistance" means appropriate referrals by the
14 department or other supervising agencies to federal, state, local, or
15 private agencies or organizations, assistance with forms, applications,
16 or financial subsidies or other monetary assistance for housing. For
17 purposes of this chapter, "housing assistance" is not a remedial
18 service or time-limited family reunification service as described in
19 RCW 13.34.025(2).

20 (13) "Indigent" means a person who, at any stage of a court
21 proceeding, is:

22 (a) Receiving one of the following types of public assistance:
23 Temporary assistance for needy families, aged, blind, or disabled
24 assistance benefits, medical care services under RCW 74.09.035,
25 pregnant women assistance benefits, poverty-related veterans' benefits,
26 food stamps or food stamp benefits transferred electronically, refugee
27 resettlement benefits, medicaid, or supplemental security income; or

28 (b) Involuntarily committed to a public mental health facility; or

29 (c) Receiving an annual income, after taxes, of one hundred twenty-
30 five percent or less of the federally established poverty level; or

31 (d) Unable to pay the anticipated cost of counsel for the matter
32 before the court because his or her available funds are insufficient to
33 pay any amount for the retention of counsel.

34 (14) "Out-of-home care" means placement in a foster family home or
35 group care facility licensed pursuant to chapter 74.15 RCW or placement
36 in a home, other than that of the child's parent, guardian, or legal
37 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

1 (15) "Preventive services" means preservation services, as defined
2 in chapter 74.14C RCW, and other reasonably available services,
3 including housing assistance, capable of preventing the need for out-
4 of-home placement while protecting the child.

5 (16) "Shelter care" means temporary physical care in a facility
6 licensed pursuant to RCW 74.15.030 or in a home not required to be
7 licensed pursuant to RCW 74.15.030.

8 (17) "Sibling" means a child's birth brother, birth sister,
9 adoptive brother, adoptive sister, half-brother, or half-sister, or as
10 defined by the law or custom of the Indian child's tribe for an Indian
11 child as defined in RCW 13.38.040.

12 (18) "Social study" means a written evaluation of matters relevant
13 to the disposition of the case and shall contain the following
14 information:

15 (a) A statement of the specific harm or harms to the child that
16 intervention is designed to alleviate;

17 (b) A description of the specific services and activities, for both
18 the parents and child, that are needed in order to prevent serious harm
19 to the child; the reasons why such services and activities are likely
20 to be useful; the availability of any proposed services; and the
21 agency's overall plan for ensuring that the services will be delivered.
22 The description shall identify the services chosen and approved by the
23 parent;

24 (c) If removal is recommended, a full description of the reasons
25 why the child cannot be protected adequately in the home, including a
26 description of any previous efforts to work with the parents and the
27 child in the home; the in-home treatment programs that have been
28 considered and rejected; the preventive services, including housing
29 assistance, that have been offered or provided and have failed to
30 prevent the need for out-of-home placement, unless the health, safety,
31 and welfare of the child cannot be protected adequately in the home;
32 and the parents' attitude toward placement of the child;

33 (d) A statement of the likely harms the child will suffer as a
34 result of removal;

35 (e) A description of the steps that will be taken to minimize the
36 harm to the child that may result if separation occurs including an
37 assessment of the child's relationship and emotional bond with any

1 siblings, and the agency's plan to provide ongoing contact between the
2 child and the child's siblings if appropriate; and

3 (f) Behavior that will be expected before determination that
4 supervision of the family or placement is no longer necessary.

5 (19) "Supervising agency" means an agency licensed by the state
6 under RCW 74.15.090, or licensed by a federally recognized Indian tribe
7 located in this state under RCW 74.15.190, that has entered into a
8 performance-based contract with the department to provide case
9 management for the delivery and documentation of child welfare services
10 as defined in RCW 74.13.020.

11 (20) "Medical condition" means, for the purpose of qualifying for
12 extended foster care services, a short-term or long-term physical or
13 mental health condition as verified and documented by a health care
14 provider.

15 (21) "Nonminor dependent" means any individual age eighteen to
16 twenty-one years for whom there was an open dependency proceeding at
17 the time that he or she reached the age of eighteen years, or who is
18 released from the juvenile rehabilitation administration and had an
19 open dependency proceeding at the time of his or her commitment, and
20 who meets the eligibility requirements for extended foster care
21 services authorized under RCW 74.13.031.

22 (22) "Supervised independent living" includes, but is not limited
23 to, apartment living, room and board arrangements, college or
24 university dormitories, and shared roommate settings.

25 **Sec. 3.** RCW 13.34.145 and 2011 c 330 s 6 are each amended to read
26 as follows:

27 (1) The purpose of a permanency planning hearing is to review the
28 permanency plan for the child, inquire into the welfare of the child
29 and progress of the case, and reach decisions regarding the permanent
30 placement of the child.

31 (a) A permanency planning hearing shall be held in all cases where
32 the child has remained in out-of-home care for at least nine months and
33 an adoption decree, guardianship order, or permanent custody order has
34 not previously been entered. The hearing shall take place no later
35 than twelve months following commencement of the current placement
36 episode.

1 (b) Whenever a child is removed from the home of a dependency
2 guardian or long-term relative or foster care provider, and the child
3 is not returned to the home of the parent, guardian, or legal custodian
4 but is placed in out-of-home care, a permanency planning hearing shall
5 take place no later than twelve months, as provided in this section,
6 following the date of removal unless, prior to the hearing, the child
7 returns to the home of the dependency guardian or long-term care
8 provider, the child is placed in the home of the parent, guardian, or
9 legal custodian, an adoption decree, guardianship order, or a permanent
10 custody order is entered, or the dependency is dismissed. Every effort
11 shall be made to provide stability in long-term placement, and to avoid
12 disruption of placement, unless the child is being returned home or it
13 is in the best interest of the child.

14 (c) Permanency planning goals should be achieved at the earliest
15 possible date, preferably before the child has been in out-of-home care
16 for fifteen months. In cases where parental rights have been
17 terminated, the child is legally free for adoption, and adoption has
18 been identified as the primary permanency planning goal, it shall be a
19 goal to complete the adoption within six months following entry of the
20 termination order.

21 (2) No later than ten working days prior to the permanency planning
22 hearing, the agency having custody of the child shall submit a written
23 permanency plan to the court and shall mail a copy of the plan to all
24 parties and their legal counsel, if any.

25 (3) Subject to the availability of amounts appropriated for this
26 specific purpose, when the youth is at least age seventeen years but
27 not older than seventeen years and six months, the department shall
28 provide the youth with written documentation which explains the
29 availability of extended foster care services and detailed instructions
30 regarding how the youth may access such services after he or she
31 reaches age eighteen years.

32 (4) At the permanency planning hearing, the court shall conduct the
33 following inquiry:

34 (a) If a goal of long-term foster or relative care has been
35 achieved prior to the permanency planning hearing, the court shall
36 review the child's status to determine whether the placement and the
37 plan for the child's care remain appropriate.

1 (b) In cases where the primary permanency planning goal has not
2 been achieved, the court shall inquire regarding the reasons why the
3 primary goal has not been achieved and determine what needs to be done
4 to make it possible to achieve the primary goal. The court shall
5 review the permanency plan prepared by the agency and make explicit
6 findings regarding each of the following:

7 (i) The continuing necessity for, and the safety and
8 appropriateness of, the placement;

9 (ii) The extent of compliance with the permanency plan by the
10 department or supervising agency and any other service providers, the
11 child's parents, the child, and the child's guardian, if any;

12 (iii) The extent of any efforts to involve appropriate service
13 providers in addition to department or supervising agency staff in
14 planning to meet the special needs of the child and the child's
15 parents;

16 (iv) The progress toward eliminating the causes for the child's
17 placement outside of his or her home and toward returning the child
18 safely to his or her home or obtaining a permanent placement for the
19 child;

20 (v) The date by which it is likely that the child will be returned
21 to his or her home or placed for adoption, with a guardian or in some
22 other alternative permanent placement; and

23 (vi) If the child has been placed outside of his or her home for
24 fifteen of the most recent twenty-two months, not including any period
25 during which the child was a runaway from the out-of-home placement or
26 the first six months of any period during which the child was returned
27 to his or her home for a trial home visit, the appropriateness of the
28 permanency plan, whether reasonable efforts were made by the department
29 or supervising agency to achieve the goal of the permanency plan, and
30 the circumstances which prevent the child from any of the following:

31 (A) Being returned safely to his or her home;

32 (B) Having a petition for the involuntary termination of parental
33 rights filed on behalf of the child;

34 (C) Being placed for adoption;

35 (D) Being placed with a guardian;

36 (E) Being placed in the home of a fit and willing relative of the
37 child; or

1 (F) Being placed in some other alternative permanent placement,
2 including independent living or long-term foster care.

3 At this hearing, the court shall order the department or
4 supervising agency to file a petition seeking termination of parental
5 rights if the child has been in out-of-home care for fifteen of the
6 last twenty-two months since the date the dependency petition was filed
7 unless the court makes a good cause exception as to why the filing of
8 a termination of parental rights petition is not appropriate. Any good
9 cause finding shall be reviewed at all subsequent hearings pertaining
10 to the child. For purposes of this section, "good cause exception"
11 includes but is not limited to the following: The child is being cared
12 for by a relative; the department has not provided to the child's
13 family such services as the court and the department have deemed
14 necessary for the child's safe return home; or the department has
15 documented in the case plan a compelling reason for determining that
16 filing a petition to terminate parental rights would not be in the
17 child's best interests.

18 (c)(i) If the permanency plan identifies independent living as a
19 goal, the court shall make a finding that the provision of services to
20 assist the child in making a transition from foster care to independent
21 living will allow the child to manage his or her financial, personal,
22 social, educational, and nonfinancial affairs prior to approving
23 independent living as a permanency plan of care. The court will
24 inquire whether the child has been provided information about extended
25 foster care services.

26 (ii) The permanency plan shall also specifically identify the
27 services, including extended foster care services, where appropriate,
28 that will be provided to assist the child to make a successful
29 transition from foster care to independent living.

30 (iii) The department or supervising agency shall not discharge a
31 child to an independent living situation before the child is eighteen
32 years of age unless the child becomes emancipated pursuant to chapter
33 13.64 RCW.

34 (d) If the child has resided in the home of a foster parent or
35 relative for more than six months prior to the permanency planning
36 hearing, the court shall:

37 (i) Enter a finding regarding whether the foster parent or relative

1 was informed of the hearing as required in RCW 74.13.280, 13.34.215(6),
2 and 13.34.096; and

3 (ii) If the department or supervising agency is recommending a
4 placement other than the child's current placement with a foster
5 parent, relative, or other suitable person, enter a finding as to the
6 reasons for the recommendation for a change in placement.

7 ~~((4))~~ (5) In all cases, at the permanency planning hearing, the
8 court shall:

9 (a)(i) Order the permanency plan prepared by the supervising agency
10 to be implemented; or

11 (ii) Modify the permanency plan, and order implementation of the
12 modified plan; and

13 (b)(i) Order the child returned home only if the court finds that
14 a reason for removal as set forth in RCW 13.34.130 no longer exists; or

15 (ii) Order the child to remain in out-of-home care for a limited
16 specified time period while efforts are made to implement the
17 permanency plan.

18 ~~((5))~~ (6) Following the first permanency planning hearing, the
19 court shall hold a further permanency planning hearing in accordance
20 with this section at least once every twelve months until a permanency
21 planning goal is achieved or the dependency is dismissed, whichever
22 occurs first.

23 ~~((6))~~ (7) Prior to the second permanency planning hearing, the
24 agency that has custody of the child shall consider whether to file a
25 petition for termination of parental rights.

26 ~~((7))~~ (8) If the court orders the child returned home, casework
27 supervision by the department or supervising agency shall continue for
28 at least six months, at which time a review hearing shall be held
29 pursuant to RCW 13.34.138, and the court shall determine the need for
30 continued intervention.

31 ~~((8))~~ (9) The juvenile court may hear a petition for permanent
32 legal custody when: (a) The court has ordered implementation of a
33 permanency plan that includes permanent legal custody; and (b) the
34 party pursuing the permanent legal custody is the party identified in
35 the permanency plan as the prospective legal custodian. During the
36 pendency of such proceeding, the court shall conduct review hearings
37 and further permanency planning hearings as provided in this chapter.
38 At the conclusion of the legal guardianship or permanent legal custody

1 proceeding, a juvenile court hearing shall be held for the purpose of
2 determining whether dependency should be dismissed. If a guardianship
3 or permanent custody order has been entered, the dependency shall be
4 dismissed.

5 ~~((9))~~ (10) Continued juvenile court jurisdiction under this
6 chapter shall not be a barrier to the entry of an order establishing a
7 legal guardianship or permanent legal custody when the requirements of
8 subsection ~~((8))~~ (9) of this section are met.

9 ~~((10))~~ (11) Nothing in this chapter may be construed to limit the
10 ability of the agency that has custody of the child to file a petition
11 for termination of parental rights or a guardianship petition at any
12 time following the establishment of dependency. Upon the filing of
13 such a petition, a fact-finding hearing shall be scheduled and held in
14 accordance with this chapter unless the department or supervising
15 agency requests dismissal of the petition prior to the hearing or
16 unless the parties enter an agreed order terminating parental rights,
17 establishing guardianship, or otherwise resolving the matter.

18 ~~((11))~~ (12) The approval of a permanency plan that does not
19 contemplate return of the child to the parent does not relieve the
20 supervising agency of its obligation to provide reasonable services,
21 under this chapter, intended to effectuate the return of the child to
22 the parent, including but not limited to, visitation rights. The court
23 shall consider the child's relationships with siblings in accordance
24 with RCW 13.34.130.

25 ~~((12))~~ (13) Nothing in this chapter may be construed to limit the
26 procedural due process rights of any party in a termination or
27 guardianship proceeding filed under this chapter.

28 **Sec. 4.** RCW 13.34.267 and 2012 c 52 s 4 are each amended to read
29 as follows:

30 (1) In order to facilitate the delivery of extended foster care
31 services, the court shall postpone for six months the dismissal of a
32 dependency proceeding for any ~~((child))~~ youth who is a dependent child
33 in foster care at the age of eighteen years and who, at the time of his
34 or her eighteenth birthday, is:

35 (a) Enrolled in a secondary education program or a secondary
36 education equivalency program; ~~((or))~~

1 (b) Enrolled and participating in a postsecondary academic or
2 postsecondary vocational program, or has applied for and can
3 demonstrate that he or she intends to timely enroll in a postsecondary
4 academic or postsecondary vocational program;

5 (c) Participating in a program or activity designed to promote
6 employment or remove barriers to employment;

7 (d) Engaging in employment for eighty hours or more per month; or

8 (e) Incapable of engaging in any of the activities described in (a)
9 or (d) of this subsection due to a medical condition that is supported
10 by regularly updated information.

11 ~~(2)(a) ((The six month postponement under this subsection is~~
12 ~~intended to allow a reasonable window of opportunity for an eligible~~
13 ~~youth who reaches the age of eighteen to request extended foster care~~
14 ~~services from the department or supervising agency. The court shall~~
15 ~~dismiss the dependency if the youth:~~

16 ~~(i) Has not requested extended foster care services from the~~
17 ~~department by the end of the six month period; or~~

18 ~~(ii) Is no longer eligible for extended foster care services under~~
19 ~~RCW 74.13.031(10) at any point during the six month period.~~

20 ~~(b) Until the youth requests to participate in the extended foster~~
21 ~~care program, the department is relieved of any supervisory~~
22 ~~responsibility for the youth.~~

23 ~~(3) A youth who participates in extended foster care while~~
24 ~~completing a secondary education or equivalency program may continue to~~
25 ~~receive extended foster care services for the purpose of participating~~
26 ~~in a postsecondary academic or postsecondary vocational education~~
27 ~~program if, at the time the secondary education or equivalency program~~
28 ~~is completed, the youth has applied to and can demonstrate that he or~~
29 ~~she intends to timely enroll in a postsecondary academic or vocational~~
30 ~~education program. The dependency shall be dismissed if the youth~~
31 ~~fails to timely enroll or continue in the postsecondary program, or~~
32 ~~reaches age twenty one, whichever is earlier.~~

33 ~~(4) A youth receiving extended foster care services is a party to~~
34 ~~the dependency proceeding. The youth's parent or guardian shall be~~
35 ~~dismissed from the dependency proceeding when the youth reaches the age~~
36 ~~of eighteen years.~~

37 ~~(5))~~ If the court maintains the dependency proceeding of a youth
38 pursuant to subsection (1)(a) or (b) of this section, the youth is

1 eligible to receive extended foster care services pursuant to RCW
2 74.13.031, subject to the youth's continuing eligibility and agreement
3 to participate.

4 (b) If the court maintains the dependency proceeding of a youth
5 pursuant to subsection (1)(c) through (e) of this section, the youth
6 may be eligible to receive extended foster care services pursuant to
7 RCW 74.13.031 to the extent funds are specifically appropriated for
8 this purpose and subject to the youth's continuing eligibility and
9 agreement to participate.

10 (3) A youth receiving extended foster care services is a party to
11 the dependency proceeding. The youth's parent or guardian must be
12 dismissed from the dependency proceeding when the youth reaches the age
13 of eighteen.

14 (4)(a) The court shall dismiss the dependency proceeding for any
15 child who is a dependent child in foster care and who, at the age of
16 eighteen years and six months, does not meet any of the criteria
17 described in subsection (1)(a) or (b) of this section or does not agree
18 to participate in the program.

19 (b) The court shall also dismiss the dependency proceeding for any
20 child who is a dependent child in foster care and who, at the age of
21 eighteen years and six months, does not meet any of the criteria
22 described in subsection (1)(c) through (e) of this section, does not
23 agree to participate in the program, or if services are not available
24 due to funding not being appropriated specifically for this purpose.

25 (5) The court shall order a youth participating in extended foster
26 care services to be under the placement and care authority of the
27 department, subject to the youth's continuing agreement to participate
28 in extended foster care services. The department may establish foster
29 care rates appropriate to the needs of the youth participating in
30 extended foster care services.

31 (6) The court shall appoint counsel to represent a youth, as
32 defined in RCW 13.34.030(2)(b), in dependency proceedings under this
33 section.

34 (7) The case plan for and delivery of services to a youth receiving
35 extended foster care services is subject to the review requirements set
36 forth in RCW 13.34.138 and 13.34.145, and should be applied in a
37 developmentally appropriate manner, as they relate to youth age
38 eighteen to twenty-one years. Additionally, the court shall consider:

- 1 (a) Whether the youth is safe in his or her placement;
2 (b) Whether the youth continues to be eligible for extended foster
3 care services;
4 (c) Whether the current placement is developmentally appropriate
5 for the youth;
6 (d) The youth's development of independent living skills; and
7 (e) The youth's overall progress toward transitioning to full
8 independence and the projected date for achieving such transition.

9 (8) Prior to the review hearing, the youth's attorney shall
10 indicate whether there are any contested issues and may provide
11 additional information necessary for the court's review.

12 (9) Upon the request of the youth, or when the youth is no longer
13 eligible to receive extended foster care services according to rules
14 adopted by the department, the court shall dismiss the dependency.

15 **Sec. 5.** RCW 74.13.020 and 2012 c 205 s 12 are each amended to read
16 as follows:

17 For purposes of this chapter:

18 (1) "Case management" means convening family meetings, developing,
19 revising, and monitoring implementation of any case plan or individual
20 service and safety plan, coordinating and monitoring services needed by
21 the child and family, caseworker-child visits, family visits, and the
22 assumption of court-related duties, excluding legal representation,
23 including preparing court reports, attending judicial hearings and
24 permanency hearings, and ensuring that the child is progressing toward
25 permanency within state and federal mandates, including the Indian
26 child welfare act.

27 (2) "Child" means:

28 (a) A person less than eighteen years of age; or

29 (b) A person age eighteen to twenty-one years who is eligible to
30 receive the extended foster care services authorized under RCW
31 74.13.031.

32 (3) "Child protective services" has the same meaning as in RCW
33 26.44.020.

34 (4) "Child welfare services" means social services including
35 voluntary and in-home services, out-of-home care, case management, and
36 adoption services which strengthen, supplement, or substitute for,
37 parental care and supervision for the purpose of:

1 (a) Preventing or remedying, or assisting in the solution of
2 problems which may result in families in conflict, or the neglect,
3 abuse, exploitation, or criminal behavior of children;

4 (b) Protecting and caring for dependent, abused, or neglected
5 children;

6 (c) Assisting children who are in conflict with their parents, and
7 assisting parents who are in conflict with their children, with
8 services designed to resolve such conflicts;

9 (d) Protecting and promoting the welfare of children, including the
10 strengthening of their own homes where possible, or, where needed;

11 (e) Providing adequate care of children away from their homes in
12 foster family homes or day care or other child care agencies or
13 facilities.

14 "Child welfare services" does not include child protection
15 services.

16 (5) "Committee" means the child welfare transformation design
17 committee.

18 (6) "Department" means the department of social and health
19 services.

20 (7) "Extended foster care services" means residential and other
21 support services the department is authorized to provide to foster
22 children. These services may include(~~(, but are not limited to,)~~)
23 placement in licensed, relative, or otherwise approved care, or
24 supervised independent living settings; assistance in meeting basic
25 needs; independent living services; medical assistance; and counseling
26 or treatment.

27 (8) "Measurable effects" means a statistically significant change
28 which occurs as a result of the service or services a supervising
29 agency is assigned in a performance-based contract, in time periods
30 established in the contract.

31 (9) "Out-of-home care services" means services provided after the
32 shelter care hearing to or for children in out-of-home care, as that
33 term is defined in RCW 13.34.030, and their families, including the
34 recruitment, training, and management of foster parents, the
35 recruitment of adoptive families, and the facilitation of the adoption
36 process, family reunification, independent living, emergency shelter,
37 residential group care, and foster care, including relative placement.

1 (10) "Performance-based contracting" means the structuring of all
2 aspects of the procurement of services around the purpose of the work
3 to be performed and the desired results with the contract requirements
4 set forth in clear, specific, and objective terms with measurable
5 outcomes. Contracts shall also include provisions that link the
6 performance of the contractor to the level and timing of reimbursement.

7 (11) "Permanency services" means long-term services provided to
8 secure a child's safety, permanency, and well-being, including foster
9 care services, family reunification services, adoption services, and
10 preparation for independent living services.

11 (12) "Primary prevention services" means services which are
12 designed and delivered for the primary purpose of enhancing child and
13 family well-being and are shown, by analysis of outcomes, to reduce the
14 risk to the likelihood of the initial need for child welfare services.

15 (13) "Supervising agency" means an agency licensed by the state
16 under RCW 74.15.090, or licensed by a federally recognized Indian tribe
17 located in this state under RCW 74.15.190, that has entered into a
18 performance-based contract with the department to provide case
19 management for the delivery and documentation of child welfare
20 services, as defined in this section. This definition is applicable on
21 or after December 30, 2015.

22 (14) "Medical condition" means, for the purpose of qualifying for
23 extended foster care services, a short-term or long-term physical or
24 mental health condition as verified and documented by a health care
25 provider.

26 (15) "Nonminor dependent" means any individual age eighteen to
27 twenty-one years for whom there was an open dependency proceeding at
28 the time that he or she reached the age of eighteen years, or who is
29 released from the juvenile rehabilitation administration and had an
30 open dependency proceeding at the time of his or her commitment, and
31 who meets the eligibility requirements for extended foster care
32 services authorized under RCW 74.13.031.

33 (16) "Supervised independent living" includes, but is not limited
34 to, apartment living, room and board arrangements, college or
35 university dormitories, and shared roommate settings.

36 **Sec. 6.** RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are
37 each reenacted and amended to read as follows:

1 For purposes of this chapter:

2 (1) "Case management" means convening family meetings, developing,
3 revising, and monitoring implementation of any case plan or individual
4 service and safety plan, coordinating and monitoring services needed by
5 the child and family, caseworker-child visits, family visits, and the
6 assumption of court-related duties, excluding legal representation,
7 including preparing court reports, attending judicial hearings and
8 permanency hearings, and ensuring that the child is progressing toward
9 permanency within state and federal mandates, including the Indian
10 child welfare act.

11 (2) "Child" means:

12 (a) A person less than eighteen years of age; or

13 (b) A person age eighteen to twenty-one years who is eligible to
14 receive the extended foster care services authorized under RCW
15 74.13.031.

16 (3) "Child protective services" has the same meaning as in RCW
17 26.44.020.

18 (4) "Child welfare services" means social services including
19 voluntary and in-home services, out-of-home care, case management, and
20 adoption services which strengthen, supplement, or substitute for,
21 parental care and supervision for the purpose of:

22 (a) Preventing or remedying, or assisting in the solution of
23 problems which may result in families in conflict, or the neglect,
24 abuse, exploitation, or criminal behavior of children;

25 (b) Protecting and caring for dependent, abused, or neglected
26 children;

27 (c) Assisting children who are in conflict with their parents, and
28 assisting parents who are in conflict with their children, with
29 services designed to resolve such conflicts;

30 (d) Protecting and promoting the welfare of children, including the
31 strengthening of their own homes where possible, or, where needed;

32 (e) Providing adequate care of children away from their homes in
33 foster family homes or day care or other child care agencies or
34 facilities.

35 "Child welfare services" does not include child protection
36 services.

37 (5) "Committee" means the child welfare transformation design
38 committee.

- 1 (6) "Department" means the department of social and health
2 services.
- 3 (7) "Extended foster care services" means residential and other
4 support services the department is authorized to provide to foster
5 children. These services include, but are not limited to, placement in
6 licensed, relative, or otherwise approved care, or supervised
7 independent living settings; assistance in meeting basic needs;
8 independent living services; medical assistance; and counseling or
9 treatment.
- 10 (8) "Family assessment" means a comprehensive assessment of child
11 safety, risk of subsequent child abuse or neglect, and family strengths
12 and needs that is applied to a child abuse or neglect report. Family
13 assessment does not include a determination as to whether child abuse
14 or neglect occurred, but does determine the need for services to
15 address the safety of the child and the risk of subsequent
16 maltreatment.
- 17 (9) "Measurable effects" means a statistically significant change
18 which occurs as a result of the service or services a supervising
19 agency is assigned in a performance-based contract, in time periods
20 established in the contract.
- 21 (10) "Out-of-home care services" means services provided after the
22 shelter care hearing to or for children in out-of-home care, as that
23 term is defined in RCW 13.34.030, and their families, including the
24 recruitment, training, and management of foster parents, the
25 recruitment of adoptive families, and the facilitation of the adoption
26 process, family reunification, independent living, emergency shelter,
27 residential group care, and foster care, including relative placement.
- 28 (11) "Performance-based contracting" means the structuring of all
29 aspects of the procurement of services around the purpose of the work
30 to be performed and the desired results with the contract requirements
31 set forth in clear, specific, and objective terms with measurable
32 outcomes. Contracts shall also include provisions that link the
33 performance of the contractor to the level and timing of reimbursement.
- 34 (12) "Permanency services" means long-term services provided to
35 secure a child's safety, permanency, and well-being, including foster
36 care services, family reunification services, adoption services, and
37 preparation for independent living services.

1 (13) "Primary prevention services" means services which are
2 designed and delivered for the primary purpose of enhancing child and
3 family well-being and are shown, by analysis of outcomes, to reduce the
4 risk to the likelihood of the initial need for child welfare services.

5 (14) "Supervising agency" means an agency licensed by the state
6 under RCW 74.15.090, or licensed by a federally recognized Indian tribe
7 located in this state under RCW 74.15.190, that has entered into a
8 performance-based contract with the department to provide case
9 management for the delivery and documentation of child welfare
10 services, as defined in this section. This definition is applicable on
11 or after December 30, 2015.

12 (15) "Medical condition" means, for the purpose of qualifying for
13 extended foster care services, a short-term or long-term physical or
14 mental health condition as verified and documented by a health care
15 provider.

16 (16) "Nonminor dependent" means any individual age eighteen to
17 twenty-one years for whom there was an open dependency proceeding at
18 the time that he or she reached the age of eighteen years, or who is
19 released from the juvenile rehabilitation administration and had an
20 open dependency proceeding at the time of his or her commitment, and
21 who meets the eligibility requirements for extended foster care
22 services authorized under RCW 74.13.031.

23 (17) "Supervised independent living" includes, but is not limited
24 to, apartment living, room and board arrangements, college or
25 university dormitories, and shared roommate settings.

26 **Sec. 7.** RCW 74.13.031 and 2012 c 52 s 2 are each amended to read
27 as follows:

28 (1) The department and supervising agencies shall develop,
29 administer, supervise, and monitor a coordinated and comprehensive plan
30 that establishes, aids, and strengthens services for the protection and
31 care of runaway, dependent, or neglected children.

32 (2) Within available resources, the department and supervising
33 agencies shall recruit an adequate number of prospective adoptive and
34 foster homes, both regular and specialized, i.e. homes for children of
35 ethnic minority, including Indian homes for Indian children, sibling
36 groups, handicapped and emotionally disturbed, teens, pregnant and
37 parenting teens, and the department shall annually report to the

1 governor and the legislature concerning the department's and
2 supervising agency's success in: (a) Meeting the need for adoptive and
3 foster home placements; (b) reducing the foster parent turnover rate;
4 (c) completing home studies for legally free children; and (d)
5 implementing and operating the passport program required by RCW
6 74.13.285. The report shall include a section entitled "Foster Home
7 Turn-Over, Causes and Recommendations."

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

22 (4) The department or supervising agencies shall offer, on a
23 voluntary basis, family reconciliation services to families who are in
24 conflict.

25 (5) The department or supervising agencies shall monitor placements
26 of children in out-of-home care and in-home dependencies to assure the
27 safety, well-being, and quality of care being provided is within the
28 scope of the intent of the legislature as defined in RCW 74.13.010 and
29 74.15.010. Under this section children in out-of-home care and in-home
30 dependencies and their caregivers shall receive a private and
31 individual face-to-face visit each month. The department and the
32 supervising agencies shall randomly select no less than ten percent of
33 the caregivers currently providing care to receive one unannounced
34 face-to-face visit in the caregiver's home per year. No caregiver will
35 receive an unannounced visit through the random selection process for
36 two consecutive years. If the caseworker makes a good faith effort to
37 conduct the unannounced visit to a caregiver and is unable to do so,
38 that month's visit to that caregiver need not be unannounced. The

1 department and supervising agencies are encouraged to group monthly
2 visits to caregivers by geographic area so that in the event an
3 unannounced visit cannot be completed, the caseworker may complete
4 other required monthly visits. The department shall use a method of
5 random selection that does not cause a fiscal impact to the department.

6 The department or supervising agencies shall conduct the monthly
7 visits with children and caregivers to whom it is providing child
8 welfare services.

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

21 (7) The department and supervising agency shall have authority to
22 provide temporary shelter to children who have run away from home and
23 who are admitted to crisis residential centers.

24 (8) The department and supervising agency shall have authority to
25 purchase care for children.

26 (9) The department shall establish a children's services advisory
27 committee with sufficient members representing supervising agencies
28 which shall assist the secretary in the development of a partnership
29 plan for utilizing resources of the public and private sectors, and
30 advise on all matters pertaining to child welfare, licensing of child
31 care agencies, adoption, and services related thereto. At least one
32 member shall represent the adoption community.

33 (10)(a) The department and supervising agencies shall ~~((have~~
34 ~~authority to))~~ provide continued extended foster care services to
35 ~~((youth ages eighteen to twenty one years to participate in or~~
36 ~~complete))~~ nonminor dependents who are:

37 (i) Enrolled in a secondary education program or a secondary
38 education equivalency program~~((τ))~~i or

1 (ii) Enrolled and participating in a postsecondary academic or
2 postsecondary vocational education program.

3 (b) Subject to the availability of amounts appropriated for this
4 specific purpose, the department and supervising agencies shall provide
5 continued extended foster care services to nonminor dependents who are:

6 (i) Participating in a program or activity designed to promote
7 employment or remove barriers to employment;

8 (ii) Engaged in employment for eighty hours or more per month; or

9 (iii) Incapable of engaging in any of the activities described in
10 (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a
11 medical condition that is supported by regularly updated information.

12 (c) The department shall develop and implement rules regarding
13 youth eligibility requirements.

14 (11) The department shall have authority to provide adoption
15 support benefits, or relative guardianship subsidies on behalf of youth
16 ages eighteen to twenty-one years who achieved permanency through
17 adoption or a relative guardianship at age sixteen or older and who
18 meet the criteria described in subsection (10) of this section.

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

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

36 Notwithstanding any other provision of RCW 13.32A.170 through
37 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
38 services to be provided by the department under subsections (4), (6),

1 and (7) of this section, subject to the limitations of these
2 subsections, may be provided by any program offering such services
3 funded pursuant to Titles II and III of the federal juvenile justice
4 and delinquency prevention act of 1974.

5 (14) Within amounts appropriated for this specific purpose, the
6 supervising agency or department shall provide preventive services to
7 families with children that prevent or shorten the duration of an out-
8 of-home placement.

9 (15) The department and supervising agencies shall have authority
10 to provide independent living services to youths, including individuals
11 who have attained eighteen years of age, and have not attained twenty-
12 one years of age who are or have been in foster care.

13 (16) The department and supervising agencies shall consult at least
14 quarterly with foster parents, including members of the foster parent
15 association of Washington state, for the purpose of receiving
16 information and comment regarding how the department and supervising
17 agencies are performing the duties and meeting the obligations
18 specified in this section and RCW 74.13.250 and 74.13.320 regarding the
19 recruitment of foster homes, reducing foster parent turnover rates,
20 providing effective training for foster parents, and administering a
21 coordinated and comprehensive plan that strengthens services for the
22 protection of children. Consultation shall occur at the regional and
23 statewide levels.

24 (17)(a) The department shall, within current funding levels, place
25 on its public web site a document listing the duties and
26 responsibilities the department has to a child subject to a dependency
27 petition including, but not limited to, the following:

28 (i) Reasonable efforts, including the provision of services, toward
29 reunification of the child with his or her family;

30 (ii) Sibling visits subject to the restrictions in RCW
31 13.34.136(2)(b)(ii);

32 (iii) Parent-child visits;

33 (iv) Statutory preference for placement with a relative or other
34 suitable person, if appropriate; and

35 (v) Statutory preference for an out-of-home placement that allows
36 the child to remain in the same school or school district, if practical
37 and in the child's best interests.

1 (b) The document must be prepared in conjunction with a community-
2 based organization and must be updated as needed.

3 **Sec. 8.** RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are
4 each reenacted and amended to read as follows:

5 (1) The department and supervising agencies shall develop,
6 administer, supervise, and monitor a coordinated and comprehensive plan
7 that establishes, aids, and strengthens services for the protection and
8 care of runaway, dependent, or neglected children.

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

22 (3) The department shall investigate complaints of any recent act
23 or failure to act on the part of a parent or caretaker that results in
24 death, serious physical or emotional harm, or sexual abuse or
25 exploitation, or that presents an imminent risk of serious harm, and on
26 the basis of the findings of such investigation, offer child welfare
27 services in relation to the problem to such parents, legal custodians,
28 or persons serving in loco parentis, and/or bring the situation to the
29 attention of an appropriate court, or another community agency. An
30 investigation is not required of nonaccidental injuries which are
31 clearly not the result of a lack of care or supervision by the child's
32 parents, legal custodians, or persons serving in loco parentis. If the
33 investigation reveals that a crime against a child may have been
34 committed, the department shall notify the appropriate law enforcement
35 agency.

36 (4) As provided in RCW 26.44.030(11), the department may respond to

1 a report of child abuse or neglect by using the family assessment
2 response.

3 (5) The department or supervising agencies shall offer, on a
4 voluntary basis, family reconciliation services to families who are in
5 conflict.

6 (6) The department or supervising agencies shall monitor placements
7 of children in out-of-home care and in-home dependencies to assure the
8 safety, well-being, and quality of care being provided is within the
9 scope of the intent of the legislature as defined in RCW 74.13.010 and
10 74.15.010. Under this section children in out-of-home care and in-home
11 dependencies and their caregivers shall receive a private and
12 individual face-to-face visit each month. The department and the
13 supervising agencies shall randomly select no less than ten percent of
14 the caregivers currently providing care to receive one unannounced
15 face-to-face visit in the caregiver's home per year. No caregiver will
16 receive an unannounced visit through the random selection process for
17 two consecutive years. If the caseworker makes a good faith effort to
18 conduct the unannounced visit to a caregiver and is unable to do so,
19 that month's visit to that caregiver need not be unannounced. The
20 department and supervising agencies are encouraged to group monthly
21 visits to caregivers by geographic area so that in the event an
22 unannounced visit cannot be completed, the caseworker may complete
23 other required monthly visits. The department shall use a method of
24 random selection that does not cause a fiscal impact to the department.

25 The department or supervising agencies shall conduct the monthly
26 visits with children and caregivers to whom it is providing child
27 welfare services.

28 (7) The department and supervising agencies shall have authority to
29 accept custody of children from parents and to accept custody of
30 children from juvenile courts, where authorized to do so under law, to
31 provide child welfare services including placement for adoption, to
32 provide for the routine and necessary medical, dental, and mental
33 health care, or necessary emergency care of the children, and to
34 provide for the physical care of such children and make payment of
35 maintenance costs if needed. Except where required by Public Law 95-
36 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
37 children for adoption from the department shall discriminate on the

1 basis of race, creed, or color when considering applications in their
2 placement for adoption.

3 (8) The department and supervising agency shall have authority to
4 provide temporary shelter to children who have run away from home and
5 who are admitted to crisis residential centers.

6 (9) The department and supervising agency shall have authority to
7 purchase care for children.

8 (10) The department shall establish a children's services advisory
9 committee with sufficient members representing supervising agencies
10 which shall assist the secretary in the development of a partnership
11 plan for utilizing resources of the public and private sectors, and
12 advise on all matters pertaining to child welfare, licensing of child
13 care agencies, adoption, and services related thereto. At least one
14 member shall represent the adoption community.

15 (11)~~(a)~~ The department and supervising agencies shall ~~((have~~
16 ~~authority to))~~ provide continued extended foster care services to
17 ~~((youth ages eighteen to twenty-one years to participate in or~~
18 ~~complete))~~ nonminor dependents who are:

19 (i) Enrolled in a secondary education program or a secondary
20 education equivalency program~~((τ))~~; or

21 (ii) Enrolled and participating in a postsecondary academic or
22 postsecondary vocational education program.

23 (b) Subject to the availability of funds appropriated for this
24 specific purpose, the department and supervising agencies shall provide
25 continued extended foster care services to nonminor dependents who are:

26 (i) Participating in a program or activity designed to promote
27 employment or remove barriers to employment;

28 (ii) Engaged in employment for eighty hours or more per month; or

29 (iii) Incapable of engaging in any of the activities described in
30 (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a
31 medical condition that is supported by regularly updated information.

32 (c) The department shall develop and implement rules regarding
33 youth eligibility requirements.

34 (12) The department shall have authority to provide adoption
35 support benefits, or relative guardianship subsidies on behalf of youth
36 ages eighteen to twenty-one years who achieved permanency through
37 adoption or a relative guardianship at age sixteen or older and who
38 meet the criteria described in subsection (11) of this section.

1 (13) The department shall refer cases to the division of child
2 support whenever state or federal funds are expended for the care and
3 maintenance of a child, including a child with a developmental
4 disability who is placed as a result of an action under chapter 13.34
5 RCW, unless the department finds that there is good cause not to pursue
6 collection of child support against the parent or parents of the child.
7 Cases involving individuals age eighteen through twenty shall not be
8 referred to the division of child support unless required by federal
9 law.

10 (14) The department and supervising agencies shall have authority
11 within funds appropriated for foster care services to purchase care for
12 Indian children who are in the custody of a federally recognized Indian
13 tribe or tribally licensed child-placing agency pursuant to parental
14 consent, tribal court order, or state juvenile court order; and the
15 purchase of such care shall be subject to the same eligibility
16 standards and rates of support applicable to other children for whom
17 the department purchases care.

18 Notwithstanding any other provision of RCW 13.32A.170 through
19 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
20 services to be provided by the department under subsections (4), (7),
21 and (8) of this section, subject to the limitations of these
22 subsections, may be provided by any program offering such services
23 funded pursuant to Titles II and III of the federal juvenile justice
24 and delinquency prevention act of 1974.

25 (15) Within amounts appropriated for this specific purpose, the
26 supervising agency or department shall provide preventive services to
27 families with children that prevent or shorten the duration of an out-
28 of-home placement.

29 (16) The department and supervising agencies shall have authority
30 to provide independent living services to youths, including individuals
31 who have attained eighteen years of age, and have not attained twenty-
32 one years of age who are or have been in foster care.

33 (17) The department and supervising agencies shall consult at least
34 quarterly with foster parents, including members of the foster parent
35 association of Washington state, for the purpose of receiving
36 information and comment regarding how the department and supervising
37 agencies are performing the duties and meeting the obligations
38 specified in this section and RCW 74.13.250 and 74.13.320 regarding the

1 recruitment of foster homes, reducing foster parent turnover rates,
2 providing effective training for foster parents, and administering a
3 coordinated and comprehensive plan that strengthens services for the
4 protection of children. Consultation shall occur at the regional and
5 statewide levels.

6 (18)(a) The department shall, within current funding levels, place
7 on its public web site a document listing the duties and
8 responsibilities the department has to a child subject to a dependency
9 petition including, but not limited to, the following:

10 (i) Reasonable efforts, including the provision of services, toward
11 reunification of the child with his or her family;

12 (ii) Sibling visits subject to the restrictions in RCW
13 13.34.136(2)(b)(ii);

14 (iii) Parent-child visits;

15 (iv) Statutory preference for placement with a relative or other
16 suitable person, if appropriate; and

17 (v) Statutory preference for an out-of-home placement that allows
18 the child to remain in the same school or school district, if practical
19 and in the child's best interests.

20 (b) The document must be prepared in conjunction with a community-
21 based organization and must be updated as needed.

22 NEW SECTION. **Sec. 9.** This act applies prospectively only and not
23 retroactively. It applies to:

24 (1) Dependency matters that have an open court case on the
25 effective date of this section; and

26 (2) Dependency matters for which a petition is filed on or after
27 the effective date of this section.

28 NEW SECTION. **Sec. 10.** Sections 5 and 7 of this act expire
29 December 1, 2013.

30 NEW SECTION. **Sec. 11.** Sections 6 and 8 of this act take effect
31 December 1, 2013.

--- END ---