H-0967.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 1631**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Senn, Caldier, Entenman, Ortiz-Self, Frame, Slatter, Appleton, Corry, Goodman, Jinkins, Davis, Pollet, and Leavitt

AN ACT Relating to supporting child welfare workers; amending RCW 74.14B.010; adding new sections to chapter 43.216 RCW; adding a new section to chapter 74.14B RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  (1) Child welfare caseworkers engage in very challenging and complicated work keeping children safe, ensuring their well-being, and reuniting families. In doing this work, many caseworkers are the first responders to child abuse and neglect. In spite of this difficulty, these caseworkers are motivated to help families succeed. However, the cumulative stress of child welfare work and other factors including workload for caseworkers and supervisors, organizational support, access to resources, insufficient training, limited direct service time, lack of clear expectations, limited access to technology, and burdensome paperwork can result in high turnover.

(2) High turnover in the child welfare workforce is costly to the state and has adverse effects on child and family outcomes including: (a) Increased time to permanency; (b) lower rates of reunification; and (c) slower resolution of child safety concerns. Furthermore, high turnover rates result in less experienced supervisors and other positions of leadership within the child welfare system.

(3) For these reasons, the legislature intends to build a well-trained, well-supported, technologically competent, more effective child welfare workforce in order to better meet the needs of vulnerable children and families in Washington state. In addition, child welfare workers who experience secondary, work-related trauma should be given the necessary support to process intense emotional events and the tools to build resiliency. This act includes supports for the child welfare field that will improve and help retain these individuals.

(4) The child welfare league of America established national caseload standards for family foster care social workers recommending a caseload between twelve and fifteen children. The settlement agreement reached pursuant to *Braam v. Washington*, 150 Wash.2d 689 (2003) includes a caseload requirement of eighteen children. Currently, forty-three percent of case-carrying child and family welfare services staff have caseloads at or greater than twenty children and fifteen percent have a caseload under eighteen children. It is the intent of the legislature to increase the staffing of child welfare cases with the goal of compliance with the settlement agreement reached pursuant to *Braam v. Washington*, 150 Wash.2d 689 (2003).

(5) The legislature further encourages the child welfare division of the department of children, youth, and families to incorporate reflective supervision principles. Reflective supervision is encouraged because it:

(a) Supports individuals when working through complex situations and emotions in a safe environment;

(b) Is relationship-based, collaborative, encourages respect, and happens regularly, modeling the qualities of healthy relationships between professionals and the families they serve;

(c) Prioritizes the needs of the supervisee, instead of focusing on administrative issues or the supervisor's agenda;

(d) Promotes reflection on specific cases; and

(e) Develops greater capacity to understand, interpret, and make meaning of clients' behavior and encourages the use of this awareness to better serve clients.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

(1) The department shall provide a report on the department's current efforts to improve workplace culture to the relevant committees of the legislature in compliance with RCW 43.01.036 by December 1, 2019. The report must include, but not be limited to, results and activities related to the department's organizational change management initiatives, efforts related to the federal program improvement plan, and the department's existing peer support program.

(2) The department and any external entity responsible for providing child welfare worker training shall provide a report on current child welfare worker training to the relevant committees of the legislature in compliance with RCW 43.01.036 by September 1, 2019, that includes:

(a) A review of the effectiveness of the current course curriculum for supervisors;

(b) An evaluation of the preparedness of new child welfare workers;

(c) An inventory of the trauma-informed trainings for child welfare workers and supervisors;

(d) An inventory of the reflective supervision principles embedded within trainings for child welfare workers and supervisors; and

(e) An inventory of the department's efforts to systemize peer support for child welfare workers and supervisors.

(3) The department shall provide a training improvement plan to the relevant committees of the legislature in compliance with RCW 43.01.036 by January 1, 2020, based on the report required under subsection (2) of this section that describes the recommended frequency of trainings and other recommended improvements to child welfare worker training.

(4) For purposes of this section, "child welfare worker" means an employee of the department whose job includes supporting or providing child welfare services as defined in RCW 74.13.020 or child protective services as defined in RCW 26.44.020.

(5) This section expires July 1, 2021.

**Sec.**  RCW 74.14B.010 and 2018 c 58 s 79 are each amended to read as follows:

(1) ((~~Caseworkers employed in children services~~)) Child welfare workers shall meet minimum standards established by the department. Comprehensive training for ((~~caseworkers~~)) child welfare workers shall be completed before such ((~~caseworkers~~)) child welfare workers are assigned to case-carrying responsibilities ((~~without direct supervision~~)) as the sole worker assigned to a particular case. Intermittent, part-time, and standby child welfare workers shall be subject to the same minimum standards and training.

(2) Ongoing specialized training shall be provided for ((~~persons~~)) child welfare workers responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.

(3) The department, the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children, including law enforcement, prosecution, and child protective services.

(4) The training required by this section shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; ((~~and~~)) (i) address documentation of investigative interviews; and (j) include self-care for child welfare workers.

(5) The identification of domestic violence is critical in ensuring the safety of children in the child welfare system. ((~~As a result~~)) It is also critical for child welfare workers to support victims of domestic violence while victims continue to care for their children, when possible, as domestic violence perpetrated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself as provided in RCW 26.44.020. For these reasons, ongoing domestic violence training and consultation shall be provided to ((~~caseworkers~~)) child welfare workers, including how to use the department's practice guide to domestic violence.

(6) By January 1, 2021, the department shall:

(a) Develop and implement an evidence-based curriculum for supervisors providing support to child welfare workers to better prepare candidates for effective supervisory and leadership roles within the department;

(b) Develop specialized training for child welfare workers that includes simulation and coaching designed to improve clinical and analytical skills;

(c) Based on the report required under section 2(2) of this act, develop and implement training for child welfare workers that incorporates trauma-informed care and reflective supervision principles.

(7) For purposes of this section, "child welfare worker" means an employee of the department whose job includes supporting or providing child welfare services as defined in RCW 74.13.020 or child protective services as defined in RCW 26.44.020.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

(1) The department shall create dedicated positions used to assist with the caseload of other child welfare workers that need to take leave or a reduction in caseload following a critical incident. These staff may also provide one-on-one coaching and case management during weekends and after regular business hours. The purpose of this dedicated employee unit is to allow child welfare workers to take leave or reduce caseloads following a critical incident without increasing the caseload of other employees.

(2) The department shall provide child welfare workers and those supervising child welfare workers with access to:

(a) A critical incident protocol that establishes a process for appropriately responding to traumatic or high stress incidents in a manner that provides employees with proper mental health and stress management support, guidance, and education; and

(b) Peer counseling from someone trained in providing peer counseling and support.

(3) The department shall systematically collect workforce data regarding child welfare workers including staff turnover, workload distribution, exit interviews, and regular staff surveys to assess organizational culture and psychological safety.

(4) The department shall make a concerted effort to increase efficiency through the reduction of paperwork.

(5) The department shall develop a scientifically based method for measuring the direct service time of child welfare workers and contracted resources.

(6) The department shall convene a technical work group to develop a workload model including standardized ratios for supervisors, clerical, and other child welfare worker support staff and child welfare worker caseload ratios by case type.

(a) The technical work group must include:

(i) Two child welfare worker representatives, one from west of the crest of the Cascade mountain range, and one from east of the crest of the Cascade mountain range;

(ii) Fiscal staff from the department;

(iii) Human resources staff from the department; and

(iv) A representative from the office of financial management.

(b) The department shall provide a report to the relevant committees of the legislature in compliance with RCW 43.01.036 by December 1, 2019, that includes a description of the workload model recommended by the technical work group and the steps the department is taking to implement this model.

(c) The technical work group established in this section shall continue to meet and provide an annual report to the relevant committees of the legislature in compliance with RCW 43.01.036 by December 1st of each year regarding any recommended modifications to the workload model and steps the department is taking to implement those changes.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Child welfare worker" means an employee of the department whose job includes supporting or providing child welfare services as defined in RCW 74.13.020 including those providing family assessment response services as defined in RCW 26.44.020 or child protective services as defined in RCW 26.44.020.

(b) "Critical incident" means an incident that is unusual and involves a perceived or actual threat of harm to an individual which includes but is not limited to child fatalities or near fatalities.

NEW SECTION. **Sec.**  A new section is added to chapter 74.14B RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of children, youth, and families.

(2) "Secretary" means the secretary of the department of children, youth, and families.

**--- END ---**