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**Human Services & Early Learning  
Committee**

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**HB 1140**

**Brief Description:** Concerning creation of a certified child safety policy.

**Sponsors:** Representatives Smith, Shewmake, Griffey, Van Werven, Dent and Macri.

**Brief Summary of Bill**

- Requires the Department of Health (DOH) to contract with a nongovernmental organization to develop a certified child safety policy for youth recreational organization.
- Requires the DOH to select a five-county pilot program and collaborate with all local government youth recreational organizations until they implement a certified child safety policy by December 1, 2020.
- Requires the DOH to submit a report to the Legislature that includes recommendations regarding implementing the certified child safety policy in all youth recreation organizations statewide by December 15, 2020.

**Hearing Date:** 1/25/19

**Staff:** Luke Wickham (786-7146).

**Background:**

*Mandated Reporters.*

State law identifies certain individuals as having a requirement to report child abuse or neglect if he or she has reasonable cause to believe that a child has suffered abuse or neglect. These individuals must report this information to a law enforcement agency or to the Department of Children, Youth, and Families (DCYF).

Mandatory Reporters of Child Abuse and Neglect Include:

- medical practitioners;

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- county coroners;
- medical examiners;
- law enforcement officers;
- professional school personnel;
- registered or licensed nurses;
- social service counselors;
- psychologists;
- pharmacists;
- employees of the DCYF;
- licensed or certified child care providers or their employees;
- employees of the Department of Social and Health Services;
- juvenile probation officers;
- placement and liaison specialists;
- responsible living skills program staff;
- HOPE Center staff;
- the Family and Children's Ombuds or any volunteer in that office;
- any person in an official supervisory capacity with a profit or nonprofit organization that has reason to believe a person over whom her or she exercises supervisory authority has abused or neglected a child;
- Department of Corrections personnel;
- adults who have reasonable cause to believe that a child who resides with the adult is a victim of severe abuse;
- guardians ad litem and court appointed special advocates; and
- administrative, academic, or athletic department employees of public and private institutions of higher education.

*Criminal Liability for Mandated Reporters Who Do Not Report.*

Every mandated reporter who knowingly fails to make, or fails to cause to be made, such report, is guilty of a gross misdemeanor.

*School-Age Child Care.*

The DCYF licenses certain school-age programs to make sure they meet minimum standards for health and safety. These standards include performing a background check on individuals who will have unsupervised access to children and ensuring a ratio of 15 children to one staff person. School-age children include those ages 5-12 who attend a public or private school.

However, licensure is not required for all school-age programs. Organizations that provide recreational or educational programming for school-age child care only are not required to become licensed if they: (1) use a drop-in model; (2) do not assume responsibility in lieu of the parent; (3) are a local affiliate of a national nonprofit; and (4) are in compliance with all safety and quality standards set by the associated agency.

Licensure is also not required for youth recreational programs operated by a local, state, or federal government entity.

**Summary of Bill:**

The Department of Health (DOH) is required to contract with a nongovernmental organization (NGO) with experience in reducing the likelihood of child sexual assault and misconduct to develop a certified child safety policy. This certified child safety policy is used by the NGO to certify that youth recreational organizations meet certain minimum standards regarding:

- screening and selecting employees and volunteers;
- guidelines on interactions between individuals;
- monitoring employee and participant behavior;
- ensuring safe environments;
- responding to inappropriate behavior; and
- training about child sexual abuse prevention.

The minimum standards established by the NGO must be available on the DOH website by January 1, 2020. All youth recreational organizations are encouraged to work with the NGO to establish a certified child safety policy.

Beginning July 1, 2020, the DOH shall select a five-county pilot program and collaborate with all local government youth recreational organizations until they implement a certified child safety policy by December 1, 2020. The five counties selected must include five contiguous counties with a combined population between 1,000,000 and 1,300,000 people.

By December 15, 2020, the DOH shall report the following to the Legislature:

- a description of the pilot program;
- a description of the certified child safety policy requirements; and
- recommendations regarding implementing the certified child safety policy in all youth recreation organizations statewide.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.