

E2SSB 6109 - H COMM AMD
By Committee on Appropriations

ADOPTED 02/28/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that since 2018
4 there has been a significant increase in the number of child
5 fatalities and near fatalities involving fentanyl.

6 (2) The legislature finds that fentanyl and other highly potent
7 synthetic opioids pose a unique and growing threat to the safety of
8 children in Washington state. Fentanyl is a high-potency synthetic
9 opioid and, according to the centers for disease control and
10 prevention, is 50 times more potent than heroin and 100 times more
11 potent than morphine. Even in very small quantities high-potency
12 synthetic opioids may be lethal to a child.

13 (3) The legislature intends to provide clarity to judges, social
14 workers, advocates, and families about the safety threat that high-
15 potency synthetic opioids pose to vulnerable children. The
16 legislature declares that the lethality of high-potency synthetic
17 opioids and public health guidance from the department of health
18 related to high-potency synthetic opioids should be given great
19 weight in determining whether a child is at risk of imminent physical
20 harm due to child abuse or neglect.

21 (4) The legislature recognizes the challenges for recovery and
22 rehabilitation regarding opioid use and resolves to increase services
23 and supports. The legislature further resolves to increase training
24 and resources for state and judicial employees to accomplish their
25 mission and goals in a safe and effective manner.

26 (5) The legislature recognizes that supporting families in crisis
27 with interventions and services, including preventative services,
28 voluntary services, and family assessment response, minimizes child
29 trauma from further child welfare involvement and strengthens
30 families.

31 **PART I**

1 **HIGH-POTENCY SYNTHETIC OPIOIDS AND CHILD WELFARE**

2 **Sec. 101.** RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 are
3 each reenacted and amended to read as follows:

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

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

15 (2) "Child," "juvenile," and "youth" mean:

16 (a) Any individual under the age of eighteen years; or

17 (b) Any individual age eighteen to twenty-one years who is
18 eligible to receive and who elects to receive the extended foster
19 care services authorized under RCW 74.13.031. A youth who remains
20 dependent and who receives extended foster care services under RCW
21 74.13.031 shall not be considered a "child" under any other statute
22 or for any other purpose.

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

30 (4) "Department" means the department of children, youth, and
31 families.

32 (5) "Dependency guardian" means the person, nonprofit
33 corporation, or Indian tribe appointed by the court pursuant to this
34 chapter for the limited purpose of assisting the court in the
35 supervision of the dependency.

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

37 (a) Has been abandoned;

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

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

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

7 (7) "Developmental disability" means a disability attributable to
8 intellectual disability, cerebral palsy, epilepsy, autism, or another
9 neurological or other condition of an individual found by the
10 secretary of the department of social and health services to be
11 closely related to an intellectual disability or to require treatment
12 similar to that required for individuals with intellectual
13 disabilities, which disability originates before the individual
14 attains age eighteen, which has continued or can be expected to
15 continue indefinitely, and which constitutes a substantial limitation
16 to the individual.

17 (8) "Educational liaison" means a person who has been appointed
18 by the court to fulfill responsibilities outlined in RCW 13.34.046.

19 (9) "Experiencing homelessness" means lacking a fixed, regular,
20 and adequate nighttime residence, including circumstances such as
21 sharing the housing of other persons due to loss of housing, economic
22 hardship, fleeing domestic violence, or a similar reason as described
23 in the federal McKinney-Vento homeless assistance act (Title 42
24 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

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

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

37 (12) "Guardian ad litem" means a person, appointed by the court
38 to represent the best interests of a child in a proceeding under this
39 chapter, or in any matter which may be consolidated with a proceeding
40 under this chapter. A "court-appointed special advocate" appointed by

1 the court to be the guardian ad litem for the child, or to perform
2 substantially the same duties and functions as a guardian ad litem,
3 shall be deemed to be guardian ad litem for all purposes and uses of
4 this chapter.

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

12 (14) "Guardianship" means a guardianship pursuant to chapter
13 13.36 RCW or a limited guardianship of a minor pursuant to RCW
14 11.130.215 or equivalent laws of another state or a federally
15 recognized Indian tribe.

16 (15) "High-potency synthetic opioid" means an unprescribed
17 synthetic opioid classified as a schedule II controlled substance or
18 controlled substance analog in chapter 69.50 RCW or by the pharmacy
19 quality assurance commission in rule including, but not limited to,
20 fentanyl.

21 (16) "Housing assistance" means appropriate referrals by the
22 department or other agencies to federal, state, local, or private
23 agencies or organizations, assistance with forms, applications, or
24 financial subsidies or other monetary assistance for housing. For
25 purposes of this chapter, "housing assistance" is not a remedial
26 service or family reunification service as described in RCW
27 13.34.025(2).

28 ((~~16~~)) (17) "Indigent" means a person who, at any stage of a
29 court proceeding, is:

30 (a) Receiving one of the following types of public assistance:
31 Temporary assistance for needy families, aged, blind, or disabled
32 assistance benefits, medical care services under RCW 74.09.035,
33 pregnant women assistance benefits, poverty-related veterans'
34 benefits, food stamps or food stamp benefits transferred
35 electronically, refugee resettlement benefits, medicaid, or
36 supplemental security income; or

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

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

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

7 (~~(17)~~) (18) "Nonminor dependent" means any individual age
8 eighteen to twenty-one years who is participating in extended foster
9 care services authorized under RCW 74.13.031.

10 (~~(18)~~) (19) "Out-of-home care" means placement in a foster
11 family home or group care facility licensed pursuant to chapter 74.15
12 RCW or placement in a home, other than that of the child's parent,
13 guardian, or legal custodian, not required to be licensed pursuant to
14 chapter 74.15 RCW.

15 (~~(19)~~) (20) "Parent" means the biological or adoptive parents
16 of a child, or an individual who has established a parent-child
17 relationship under RCW 26.26A.100, unless the legal rights of that
18 person have been terminated by a judicial proceeding pursuant to this
19 chapter, chapter 26.33 RCW, or the equivalent laws of another state
20 or a federally recognized Indian tribe.

21 (~~(20)~~) (21) "Prevention and family services and programs" means
22 specific mental health prevention and treatment services, substance
23 abuse prevention and treatment services, and in-home parent skill-
24 based programs that qualify for federal funding under the federal
25 family first prevention services act, P.L. 115-123. For purposes of
26 this chapter, prevention and family services and programs are not
27 remedial services or family reunification services as described in
28 RCW 13.34.025(2).

29 (~~(21)~~) (22) "Prevention services" means preservation services,
30 as defined in chapter 74.14C RCW, and other reasonably available
31 services, including housing assistance, capable of preventing the
32 need for out-of-home placement while protecting the child. Prevention
33 services include, but are not limited to, prevention and family
34 services and programs as defined in this section.

35 (~~(22)~~) (23) "Qualified residential treatment program" means a
36 program that meets the requirements provided in RCW 13.34.420,
37 qualifies for funding under the family first prevention services act
38 under 42 U.S.C. Sec. 672(k), and, if located within Washington state,
39 is licensed as a group care facility under chapter 74.15 RCW.

1 ~~((23))~~ (24) "Relative" includes persons related to a child in
2 the following ways:

3 (a) Any blood relative, including those of half-blood, and
4 including first cousins, second cousins, nephews or nieces, and
5 persons of preceding generations as denoted by prefixes of grand,
6 great, or great-great;

7 (b) Stepfather, stepmother, stepbrother, and stepsister;

8 (c) A person who legally adopts a child or the child's parent as
9 well as the natural and other legally adopted children of such
10 persons, and other relatives of the adoptive parents in accordance
11 with state law;

12 (d) Spouses of any persons named in (a), (b), or (c) of this
13 subsection, even after the marriage is terminated;

14 (e) Relatives, as named in (a), (b), (c), or (d) of this
15 subsection, of any half sibling of the child; or

16 (f) Extended family members, as defined by the law or custom of
17 the Indian child's tribe or, in the absence of such law or custom, a
18 person who has reached the age of eighteen and who is the Indian
19 child's grandparent, aunt or uncle, brother or sister, brother-in-law
20 or sister-in-law, niece or nephew, first or second cousin, or
21 stepparent who provides care in the family abode on a twenty-four
22 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

23 ~~((24))~~ (25) "Shelter care" means temporary physical care in a
24 facility licensed pursuant to RCW 74.15.030 or in a home not required
25 to be licensed pursuant to RCW 74.15.030.

26 ~~((25))~~ (26) "Sibling" means a child's birth brother, birth
27 sister, adoptive brother, adoptive sister, half-brother, or half-
28 sister, or as defined by the law or custom of the Indian child's
29 tribe for an Indian child as defined in RCW 13.38.040.

30 ~~((26))~~ (27) "Social study" means a written evaluation of
31 matters relevant to the disposition of the case that contains the
32 information required by RCW 13.34.430.

33 ~~((27))~~ (28) "Supervised independent living" includes, but is
34 not limited to, apartment living, room and board arrangements,
35 college or university dormitories, and shared roommate settings.
36 Supervised independent living settings must be approved by the
37 department or the court.

38 ~~((28))~~ (29) "Voluntary placement agreement" means, for the
39 purposes of extended foster care services, a written voluntary
40 agreement between a nonminor dependent who agrees to submit to the

1 care and authority of the department for the purposes of
2 participating in the extended foster care program.

3 **Sec. 102.** RCW 13.34.050 and 2021 c 211 s 6 are each amended to
4 read as follows:

5 (1) The court may enter an order directing a law enforcement
6 officer, probation counselor, or child protective services official
7 to take a child into custody if: (a) A petition is filed with the
8 juvenile court with sufficient corroborating evidence to establish
9 that the child is dependent; (b) ~~((the allegations contained in the
10 petition, if true, establish that there are reasonable grounds to
11 believe that removal is necessary to prevent imminent physical harm
12 to the child due to child abuse or neglect, including that which
13 results from sexual abuse, sexual exploitation, or a pattern of
14 severe neglect; and (c)))~~ an affidavit or declaration is filed by the
15 department in support of the petition setting forth specific factual
16 information evidencing insufficient time to serve a parent with a
17 dependency petition and hold a hearing prior to removal; and (c) the
18 allegations contained in the petition, if true, establish that there
19 are reasonable grounds to believe that removal is necessary to
20 prevent imminent physical harm to the child due to child abuse or
21 neglect, including that which results from sexual abuse, sexual
22 exploitation, a pattern of severe neglect, or a high-potency
23 synthetic opioid. The court shall give great weight to the lethality
24 of high-potency synthetic opioids and public health guidance from the
25 department of health related to high-potency synthetic opioids in
26 determining whether removal is necessary to prevent imminent physical
27 harm to the child due to child abuse or neglect.

28 (2) Any petition that does not have the necessary affidavit or
29 declaration demonstrating a risk of imminent harm requires that the
30 parents are provided notice and an opportunity to be heard before the
31 order may be entered.

32 (3) The petition and supporting documentation must be served on
33 the parent, and if the child is in custody at the time the child is
34 removed, on the entity with custody other than the parent. If the
35 court orders that a child be taken into custody under subsection (1)
36 of this section, the petition and supporting documentation must be
37 served on the parent at the time of the child's removal unless, after
38 diligent efforts, the parents cannot be located at the time of
39 removal. If the parent is not served at the time of removal, the

1 department shall make diligent efforts to personally serve the
2 parent. Failure to effect service does not invalidate the petition if
3 service was attempted and the parent could not be found.

4 **Sec. 103.** RCW 13.34.065 and 2021 c 211 s 9, 2021 c 208 s 1, and
5 2021 c 67 s 4 are each reenacted and amended to read as follows:

6 (1)(a) When a child is removed or when the petitioner is seeking
7 the removal of a child from the child's parent, guardian, or legal
8 custodian, the court shall hold a shelter care hearing within 72
9 hours, excluding Saturdays, Sundays, and holidays. The primary
10 purpose of the shelter care hearing is to determine whether the child
11 can be immediately and safely returned home while the adjudication of
12 the dependency is pending. The court shall hold an additional shelter
13 care hearing within 72 hours, excluding Saturdays, Sundays, and
14 holidays if the child is removed from the care of a parent, guardian,
15 or legal custodian at any time after an initial shelter care hearing
16 under this section.

17 (b) Any child's attorney, parent, guardian, or legal custodian
18 who for good cause is unable to attend or adequately prepare for the
19 shelter care hearing may request that the initial shelter care
20 hearing be continued or that a subsequent shelter care hearing be
21 scheduled. The request shall be made to the clerk of the court where
22 the petition is filed prior to the initial shelter care hearing. Upon
23 the request of the child's attorney, parent, guardian, or legal
24 custodian, the court shall schedule the hearing within 72 hours of
25 the request, excluding Saturdays, Sundays, and holidays. The clerk
26 shall notify all other parties of the hearing by any reasonable
27 means. If the parent, guardian, or legal custodian is not represented
28 by counsel, the clerk shall provide information to the parent,
29 guardian, or legal custodian regarding how to obtain counsel.

30 (2)(a) If it is likely that the child will remain in shelter care
31 longer than 72 hours, the department shall submit a recommendation to
32 the court as to the further need for shelter care in all cases in
33 which the child will remain in shelter care longer than the 72 hour
34 period. In all other cases, the recommendation shall be submitted by
35 the juvenile court probation counselor.

36 (b) All parties have the right to present testimony to the court
37 regarding the need or lack of need for shelter care.

1 (c) Hearsay evidence before the court regarding the need or lack
2 of need for shelter care must be supported by sworn testimony,
3 affidavit, or declaration of the person offering such evidence.

4 (3) (a) At the commencement of the hearing, the court shall notify
5 the parent, guardian, or custodian of the following:

6 (i) The parent, guardian, or custodian has the right to a shelter
7 care hearing;

8 (ii) The nature of the shelter care hearing, the rights of the
9 parents, and the proceedings that will follow; and

10 (iii) If the parent, guardian, or custodian is not represented by
11 counsel, the right to be represented. If the parent, guardian, or
12 custodian is indigent, the court shall appoint counsel as provided in
13 RCW 13.34.090; and

14 (b) If a parent, guardian, or legal custodian desires to waive
15 the shelter care hearing, the court shall determine, on the record
16 and with the parties present, whether such waiver is knowing and
17 voluntary. A parent may not waive his or her right to the shelter
18 care hearing unless he or she appears in court, in person, or by
19 remote means, and the court determines that the waiver is knowing and
20 voluntary. Regardless of whether the court accepts the parental
21 waiver of the shelter care hearing, the court must provide notice to
22 the parents of their rights required under (a) of this subsection and
23 make the finding required under subsection (4) of this section.

24 (4) At the shelter care hearing the court shall examine the need
25 for shelter care and inquire into the status of the case. The
26 paramount consideration for the court shall be the health, welfare,
27 and safety of the child. At a minimum, the court shall inquire into
28 the following:

29 (a) Whether the notice required under RCW 13.34.062 was given to
30 all known parents, guardians, or legal custodians of the child. The
31 court shall make an express finding as to whether the notice required
32 under RCW 13.34.062 was given to the parent, guardian, or legal
33 custodian. If actual notice was not given to the parent, guardian, or
34 legal custodian and the whereabouts of such person is known or can be
35 ascertained, the court shall order the department to make diligent
36 efforts to advise the parent, guardian, or legal custodian of the
37 status of the case, including the date and time of any subsequent
38 hearings, and their rights under RCW 13.34.090;

39 (b) Whether the child can be safely returned home while the
40 adjudication of the dependency is pending;

1 (c) What efforts have been made to place the child with a
2 relative. The court shall ask the parents whether the department
3 discussed with them the placement of the child with a relative or
4 other suitable person described in RCW 13.34.130(1)(b) and shall
5 determine what efforts have been made toward such a placement;

6 (d) What services were provided to the family to prevent or
7 eliminate the need for removal of the child from the child's home. If
8 the dependency petition or other information before the court alleges
9 that experiencing homelessness or the lack of suitable housing was a
10 significant factor contributing to the removal of the child, the
11 court shall inquire as to whether housing assistance was provided to
12 the family to prevent or eliminate the need for removal of the child
13 or children;

14 (e) Is the placement proposed by the department the least
15 disruptive and most family-like setting that meets the needs of the
16 child;

17 (f) Whether it is in the best interest of the child to remain
18 enrolled in the school, developmental program, or child care the
19 child was in prior to placement and what efforts have been made to
20 maintain the child in the school, program, or child care if it would
21 be in the best interest of the child to remain in the same school,
22 program, or child care;

23 (g) Appointment of a guardian ad litem or attorney;

24 (h) Whether the child is or may be an Indian child as defined in
25 RCW 13.38.040, whether the provisions of the federal Indian child
26 welfare act or chapter 13.38 RCW apply, and whether there is
27 compliance with the federal Indian child welfare act and chapter
28 13.38 RCW, including notice to the child's tribe;

29 (i) Whether, as provided in RCW 26.44.063, restraining orders, or
30 orders expelling an allegedly abusive household member from the home
31 of a nonabusive parent, guardian, or legal custodian, will allow the
32 child to safely remain in the home;

33 (j) Whether any orders for examinations, evaluations, or
34 immediate services are needed. The court may not order a parent to
35 undergo examinations, evaluation, or services at the shelter care
36 hearing unless the parent agrees to the examination, evaluation, or
37 service;

38 (k) The terms and conditions for parental, sibling, and family
39 visitation.

1 (5) (a) The court shall release a child alleged to be dependent to
2 the care, custody, and control of the child's parent, guardian, or
3 legal custodian unless the court finds there is reasonable cause to
4 believe that:

5 (i) After consideration of the specific services that have been
6 provided, reasonable efforts have been made to prevent or eliminate
7 the need for removal of the child from the child's home and to make
8 it possible for the child to return home; and

9 (ii) (A) The child has no parent, guardian, or legal custodian to
10 provide supervision and care for such child; or

11 (B) (I) Removal of the child is necessary to prevent imminent
12 physical harm due to child abuse or neglect, including that which
13 results from sexual abuse, sexual exploitation, a high-potency
14 synthetic opioid, or a pattern of severe neglect, notwithstanding an
15 order entered pursuant to RCW 26.44.063. The evidence must show a
16 causal relationship between the particular conditions in the home and
17 imminent physical harm to the child. The existence of community or
18 family poverty, isolation, single parenthood, age of the parent,
19 crowded or inadequate housing, substance abuse, prenatal drug or
20 alcohol exposure, mental illness, disability or special needs of the
21 parent or child, or nonconforming social behavior does not by itself
22 constitute imminent physical harm. The court shall give great weight
23 to the lethality of high-potency synthetic opioids and public health
24 guidance from the department of health related to high-potency
25 synthetic opioids when determining whether removal of the child is
26 necessary to prevent imminent physical harm due to child abuse or
27 neglect;

28 (II) It is contrary to the welfare of the child to be returned
29 home; and

30 (III) After considering the particular circumstances of the
31 child, any imminent physical harm to the child outweighs the harm the
32 child will experience as a result of removal; or

33 (C) The parent, guardian, or custodian to whom the child could be
34 released has been charged with violating RCW 9A.40.060 or 9A.40.070.

35 (b) If the court finds that the elements of (a) (ii) (B) of this
36 subsection require removal of the child, the court shall further
37 consider:

38 (i) Whether participation by the parents, guardians, or legal
39 custodians in any prevention services would prevent or eliminate the
40 need for removal and, if so, shall inquire of the parent whether they

1 are willing to participate in such services. If the parent agrees to
2 participate in the prevention services identified by the court that
3 would prevent or eliminate the need for removal, the court shall
4 place the child with the parent. The court shall give great weight to
5 the lethality of high-potency synthetic opioids and public health
6 guidance from the department of health related to high-potency
7 synthetic opioids when deciding whether to place the child with the
8 parent. The court shall not order a parent to participate in
9 prevention services over the objection of the parent, however,
10 parents shall have the opportunity to consult with counsel prior to
11 deciding whether to agree to proposed prevention services as a
12 condition of having the child return to or remain in the care of the
13 parent; and

14 (ii) Whether the issuance of a temporary order of protection
15 directing the removal of a person or persons from the child's
16 residence would prevent the need for removal of the child.

17 (c)(i) If the court does not release the child to his or her
18 parent, guardian, or legal custodian, the court shall order placement
19 with a relative or other suitable person as described in RCW
20 13.34.130(1)(b), unless the petitioner establishes that there is
21 reasonable cause to believe that:

22 (A) Placement in licensed foster care is necessary to prevent
23 imminent physical harm to the child due to child abuse or neglect,
24 including that which results from sexual abuse, sexual exploitation,
25 a high-potency synthetic opioid, or a pattern of severe neglect,
26 because no relative or other suitable person is capable of ensuring
27 the basic safety of the child; or

28 (B) The efforts to reunite the parent and child will be hindered.

29 (ii) In making the determination in (c)(i) of this subsection,
30 the court shall:

31 (A) Inquire of the petitioner and any other person present at the
32 hearing for the child whether there are any relatives or other
33 suitable persons who are willing to care for the child. This inquiry
34 must include whether any relative or other suitable person:

35 (I) Has expressed an interest in becoming a caregiver for the
36 child;

37 (II) Is able to meet any special needs of the child;

38 (III) Is willing to facilitate the child's sibling and parent
39 visitation if such visitation is ordered by the court; and

1 (IV) Supports reunification of the parent and child once
2 reunification can safely occur; and

3 (B) Give great weight to the stated preference of the parent,
4 guardian, or legal custodian, and the child.

5 (iii) If a relative or other suitable person expressed an
6 interest in caring for the child, can meet the child's special needs,
7 can support parent-child reunification, and will facilitate court-
8 ordered sibling or parent visitation, the following must not prevent
9 the child's placement with such relative or other suitable person:

10 (A) An incomplete department or fingerprint-based background
11 check, if such relative or other suitable person appears otherwise
12 suitable and competent to provide care and treatment, but the
13 background checks must be completed as soon as possible after
14 placement;

15 (B) Uncertainty on the part of the relative or other suitable
16 person regarding potential adoption of the child;

17 (C) Disbelief on the part of the relative or other suitable
18 person that the parent, guardian, or legal custodian presents a
19 danger to the child, provided the caregiver will protect the safety
20 of the child and comply with court orders regarding contact with a
21 parent, guardian, or legal custodian; or

22 (D) The conditions of the relative or other suitable person's
23 home are not sufficient to satisfy the requirements of a licensed
24 foster home. The court may order the department to provide financial
25 or other support to the relative or other suitable person necessary
26 to ensure safe conditions in the home.

27 (d) If the child was not initially placed with a relative or
28 other suitable person, and the court does not release the child to
29 his or her parent, guardian, or legal custodian, the department shall
30 make reasonable efforts to locate a relative or other suitable person
31 pursuant to RCW 13.34.060(1).

32 (e) If the court does not order placement with a relative or
33 other suitable person, the court shall place the child in licensed
34 foster care and shall set forth its reasons for the order. If the
35 court orders placement of the child with a person not related to the
36 child and not licensed to provide foster care, the placement is
37 subject to all terms and conditions of this section that apply to
38 relative placements.

39 (f) Any placement with a relative, or other suitable person
40 approved by the court pursuant to this section, shall be contingent

1 upon cooperation with the department's or agency's case plan and
2 compliance with court orders related to the care and supervision of
3 the child including, but not limited to, court orders regarding
4 parent-child contacts, sibling contacts, and any other conditions
5 imposed by the court. Noncompliance with the case plan or court order
6 is grounds for removal of the child from the home of the relative or
7 other suitable person, subject to review by the court.

8 (g) If the child is placed in a qualified residential treatment
9 program as defined in this chapter, the court shall, within 60 days
10 of placement, hold a hearing to:

11 (i) Consider the assessment required under RCW 13.34.420 and
12 submitted as part of the department's social study, and any related
13 documentation;

14 (ii) Determine whether placement in foster care can meet the
15 child's needs or if placement in another available placement setting
16 best meets the child's needs in the least restrictive environment;
17 and

18 (iii) Approve or disapprove the child's placement in the
19 qualified residential treatment program.

20 (h) Uncertainty by a parent, guardian, legal custodian, relative,
21 or other suitable person that the alleged abuser has in fact abused
22 the child shall not, alone, be the basis upon which a child is
23 removed from the care of a parent, guardian, or legal custodian under
24 (a) of this subsection, nor shall it be a basis, alone, to preclude
25 placement with a relative or other suitable person under (c) of this
26 subsection.

27 (i) If the court places with a relative or other suitable person,
28 and that person has indicated a desire to become a licensed foster
29 parent, the court shall order the department to commence an
30 assessment of the home of such relative or other suitable person
31 within 10 days and thereafter issue an initial license as provided
32 under RCW 74.15.120 for such relative or other suitable person, if
33 qualified, as a foster parent. The relative or other suitable person
34 shall receive a foster care maintenance payment, starting on the date
35 the department approves the initial license. If such home is found to
36 be unqualified for licensure, the department shall report such fact
37 to the court within one week of that determination. The department
38 shall report on the status of the licensure process during the entry
39 of any dispositional orders in the case.

40 (j) If the court places the child in licensed foster care:

1 (i) The petitioner shall report to the court, at the shelter care
2 hearing, the location of the licensed foster placement the petitioner
3 has identified for the child and the court shall inquire as to
4 whether:

5 (A) The identified placement is the least restrictive placement
6 necessary to meet the needs of the child;

7 (B) The child will be able to remain in the same school and
8 whether any orders of the court are necessary to ensure educational
9 stability for the child;

10 (C) The child will be placed with a sibling or siblings, and
11 whether court-ordered sibling contact would promote the well-being of
12 the child;

13 (D) The licensed foster placement is able to meet the special
14 needs of the child;

15 (E) The location of the proposed foster placement will impede
16 visitation with the child's parent or parents;

17 (ii) The court may order the department to:

18 (A) Place the child in a less restrictive placement;

19 (B) Place the child in a location in closer proximity to the
20 child's parent, home, or school;

21 (C) Place the child with the child's sibling or siblings;

22 (D) Take any other necessary steps to ensure the child's health,
23 safety, and well-being;

24 (iii) The court shall advise the petitioner that:

25 (A) Failure to comply with court orders while a child is in
26 shelter care will be considered when determining whether reasonable
27 efforts have been made by the department during a hearing under RCW
28 13.34.110; and

29 (B) Placement moves while a child is in shelter care will be
30 considered when determining whether reasonable efforts have been made
31 by the department during a hearing under RCW 13.34.110.

32 (6) (a) A shelter care order issued pursuant to this section shall
33 include the requirement for a case conference as provided in RCW
34 13.34.067. However, if the parent is not present at the shelter care
35 hearing, or does not agree to the case conference, the court shall
36 not include the requirement for the case conference in the shelter
37 care order.

38 (b) If the court orders a case conference, the shelter care order
39 shall include notice to all parties and establish the date, time, and

1 location of the case conference which shall be no later than 30 days
2 before the fact-finding hearing.

3 (c) The court may order another conference, case staffing, or
4 hearing as an alternative to the case conference required under RCW
5 13.34.067 so long as the conference, case staffing, or hearing
6 ordered by the court meets all requirements under RCW 13.34.067,
7 including the requirement of a written agreement specifying the
8 services to be provided to the parent.

9 (7) (a) (i) A shelter care order issued pursuant to this section
10 may be amended at any time with notice and hearing thereon. The
11 shelter care decision of placement shall be modified only upon a
12 showing of change in circumstances. No child may be placed in shelter
13 care for longer than thirty days without an order, signed by the
14 judge, authorizing continued shelter care.

15 (ii) If the court previously ordered that visitation between a
16 parent and child be supervised or monitored, there shall be a
17 presumption that such supervision or monitoring will no longer be
18 necessary following a continued shelter care order under (a) (i) of
19 this subsection. To overcome this presumption, a party must provide a
20 report to the court including evidence establishing that removing
21 visit supervision or monitoring would create a risk to the child's
22 safety, and the court shall make a determination as to whether visit
23 supervision or monitoring must continue.

24 (b) (i) An order releasing the child on any conditions specified
25 in this section may at any time be amended, with notice and hearing
26 thereon, so as to return the child to shelter care for failure of the
27 parties to conform to the conditions originally imposed.

28 (ii) The court shall consider whether nonconformance with any
29 conditions resulted from circumstances beyond the control of the
30 parent, guardian, or legal custodian and give weight to that fact
31 before ordering return of the child to shelter care.

32 (8) The department and its employees shall not be held liable in
33 any civil action for complying with an order issued under this
34 section for placement: With a parent who has agreed to accept
35 services, a relative, or a suitable person.

36 (9) (a) If a child is placed out of the home of a parent,
37 guardian, or legal custodian following a shelter care hearing, the
38 court shall order the petitioner to provide regular visitation with
39 the parent, guardian, or legal custodian, and siblings. Early,
40 consistent, and frequent visitation is crucial for maintaining

1 parent-child relationships and allowing family reunification. The
2 court shall order a visitation plan individualized to the needs of
3 the family with a goal of providing the maximum parent, child, and
4 sibling contact possible.

5 (b) Visitation under this subsection shall not be limited as a
6 sanction for a parent's failure to comply with recommended services
7 during shelter care.

8 (c) Visitation under this subsection may only be limited where
9 necessary to ensure the health, safety, or welfare of the child.

10 (d) The first visit must take place within 72 hours of the child
11 being delivered into the custody of the department, unless the court
12 finds that extraordinary circumstances require delay.

13 (e) If the first visit under (d) of this subsection occurs in an
14 in-person format, this first visit must be supervised unless the
15 department determines that visit supervision is not necessary.

16 **Sec. 104.** RCW 13.34.130 and 2019 c 172 s 12 are each amended to
17 read as follows:

18 If, after a fact-finding hearing pursuant to RCW 13.34.110, it
19 has been proven by a preponderance of the evidence that the child is
20 dependent within the meaning of RCW 13.34.030 after consideration of
21 the social study prepared pursuant to RCW 13.34.110 and after a
22 disposition hearing has been held pursuant to RCW 13.34.110, the
23 court shall enter an order of disposition pursuant to this section.

24 (1) The court shall order one of the following dispositions of
25 the case:

26 (a) Order a disposition that maintains the child in his or her
27 home, which shall provide a program designed to alleviate the
28 immediate danger to the child, to mitigate or cure any damage the
29 child has already suffered, and to aid the parents so that the child
30 will not be endangered in the future. In determining the disposition,
31 the court should choose services to assist the parents in maintaining
32 the child in the home, including housing assistance, if appropriate,
33 that least interfere with family autonomy and are adequate to protect
34 the child.

35 (b) (i) Order the child to be removed from his or her home and
36 into the custody, control, and care of a relative or other suitable
37 person, the department, or agency responsible for supervision of the
38 child's placement. If the court orders that the child be placed with
39 a caregiver over the objections of the parent or the department, the

1 court shall articulate, on the record, his or her reasons for
2 ordering the placement. The court may not order an Indian child, as
3 defined in RCW 13.38.040, to be removed from his or her home unless
4 the court finds, by clear and convincing evidence including testimony
5 of qualified expert witnesses, that the continued custody of the
6 child by the parent or Indian custodian is likely to result in
7 serious emotional or physical damage to the child.

8 (ii) The department has the authority to place the child, subject
9 to review and approval by the court (A) with a relative as defined in
10 RCW 74.15.020(2)(a), (B) in the home of another suitable person if
11 the child or family has a preexisting relationship with that person,
12 and the person has completed all required criminal history background
13 checks and otherwise appears to the department to be suitable and
14 competent to provide care for the child, or (C) in a foster family
15 home or group care facility licensed pursuant to chapter 74.15 RCW.

16 (iii) The department may also consider placing the child, subject
17 to review and approval by the court, with a person with whom the
18 child's sibling or half-sibling is residing or a person who has
19 adopted the sibling or half-sibling of the child being placed as long
20 as the person has completed all required criminal history background
21 checks and otherwise appears to the department to be competent to
22 provide care for the child.

23 (2) Absent good cause, the department shall follow the wishes of
24 the natural parent regarding the placement of the child in accordance
25 with RCW 13.34.260.

26 (3) The department may only place a child with a person not
27 related to the child as defined in RCW 74.15.020(2)(a), including a
28 placement provided for in subsection (1)(b)(iii) of this section,
29 when the court finds that such placement is in the best interest of
30 the child. Unless there is reasonable cause to believe that the
31 health, safety, or welfare of the child would be jeopardized or that
32 efforts to reunite the parent and child will be hindered, the child
33 shall be placed with a person who is willing, appropriate, and
34 available to care for the child, and who is: (I) Related to the child
35 as defined in RCW 74.15.020(2)(a) with whom the child has a
36 relationship and is comfortable; or (II) a suitable person as
37 described in subsection (1)(b) of this section. The court shall
38 consider the child's existing relationships and attachments when
39 determining placement.

1 (4) If the child is placed in a qualified residential treatment
2 program as defined in this chapter, the court shall, within sixty
3 days of placement, hold a hearing to:

4 (~~(i)-(a)~~) (a) Consider the assessment required under RCW
5 13.34.420 and submitted as part of the department's social study, and
6 any related documentation;

7 (~~(ii)-(b)~~) (b) Determine whether placement in foster care can
8 meet the child's needs or if placement in another available placement
9 setting best meets the child's needs in the least restrictive
10 environment; and

11 (~~(iii)-(c)~~) (c) Approve or disapprove the child's placement
12 in the qualified residential treatment program.

13 (5) When placing an Indian child in out-of-home care, the
14 department shall follow the placement preference characteristics in
15 RCW 13.38.180.

16 (6) Placement of the child with a relative or other suitable
17 person as described in subsection (1)(b) of this section shall be
18 given preference by the court. An order for out-of-home placement may
19 be made only if the court finds that reasonable efforts have been
20 made to prevent or eliminate the need for removal of the child from
21 the child's home and to make it possible for the child to return
22 home, specifying the services, including housing assistance, that
23 have been provided to the child and the child's parent, guardian, or
24 legal custodian, and that prevention services have been offered or
25 provided and have failed to prevent the need for out-of-home
26 placement, unless the health, safety, and welfare of the child cannot
27 be protected adequately in the home, and that:

28 (a) There is no parent or guardian available to care for such
29 child;

30 (b) The parent, guardian, or legal custodian is not willing to
31 take custody of the child; or

32 (c) The court finds, by clear, cogent, and convincing evidence, a
33 manifest danger exists that the child will suffer serious abuse or
34 neglect if the child is not removed from the home and an order under
35 RCW 26.44.063 would not protect the child from danger. The court
36 shall give great weight to the lethality of high-potency synthetic
37 opioids and public health guidance from the department of health
38 related to high-potency synthetic opioids, including fentanyl, when
39 deciding whether a manifest danger exists.

1 (7) If the court has ordered a child removed from his or her home
2 pursuant to subsection (1)(b) of this section, the court shall
3 consider whether it is in a child's best interest to be placed with,
4 have contact with, or have visits with siblings.

5 (a) There shall be a presumption that such placement, contact, or
6 visits are in the best interests of the child provided that:

7 (i) The court has jurisdiction over all siblings subject to the
8 order of placement, contact, or visitation pursuant to petitions
9 filed under this chapter or the parents of a child for whom there is
10 no jurisdiction are willing to agree; and

11 (ii) There is no reasonable cause to believe that the health,
12 safety, or welfare of any child subject to the order of placement,
13 contact, or visitation would be jeopardized or that efforts to
14 reunite the parent and child would be hindered by such placement,
15 contact, or visitation. In no event shall parental visitation time be
16 reduced in order to provide sibling visitation.

17 (b) The court may also order placement, contact, or visitation of
18 a child with a stepbrother or stepsister provided that in addition to
19 the factors in (a) of this subsection, the child has a relationship
20 and is comfortable with the stepsibling.

21 (8) If the court has ordered a child removed from his or her home
22 pursuant to subsection (1)(b) of this section and placed into
23 nonparental or nonrelative care, the court shall order a placement
24 that allows the child to remain in the same school he or she attended
25 prior to the initiation of the dependency proceeding when such a
26 placement is practical and in the child's best interest.

27 (9) If the court has ordered a child removed from his or her home
28 pursuant to subsection (1)(b) of this section, the court may order
29 that a petition seeking termination of the parent and child
30 relationship be filed if the requirements of RCW 13.34.132 are met.

31 (10) If there is insufficient information at the time of the
32 disposition hearing upon which to base a determination regarding the
33 suitability of a proposed placement with a relative or other suitable
34 person, the child shall remain in foster care and the court shall
35 direct the department to conduct necessary background investigations
36 as provided in chapter 74.15 RCW and report the results of such
37 investigation to the court within thirty days. However, if such
38 relative or other person appears otherwise suitable and competent to
39 provide care and treatment, the criminal history background check
40 need not be completed before placement, but as soon as possible after

1 placement. Any placements with relatives or other suitable persons,
2 pursuant to this section, shall be contingent upon cooperation by the
3 relative or other suitable person with the agency case plan and
4 compliance with court orders related to the care and supervision of
5 the child including, but not limited to, court orders regarding
6 parent-child contacts, sibling contacts, and any other conditions
7 imposed by the court. Noncompliance with the case plan or court order
8 shall be grounds for removal of the child from the relative's or
9 other suitable person's home, subject to review by the court.

10 **Sec. 105.** RCW 26.44.050 and 2021 c 211 s 5 are each amended to
11 read as follows:

12 (1) Except as provided in RCW 26.44.030(12), upon the receipt of
13 a report alleging that abuse or neglect has occurred, the law
14 enforcement agency or the department must investigate and provide the
15 protective services section with a report in accordance with chapter
16 74.13 RCW, and where necessary to refer such report to the court.

17 (2) A law enforcement officer may take, or cause to be taken, a
18 child into custody without a court order if there is probable cause
19 to believe that taking the child into custody is necessary to prevent
20 imminent physical harm to the child due to child abuse or neglect,
21 including that which results from sexual abuse, sexual exploitation,
22 a high-potency synthetic opioid, or a pattern of severe neglect, and
23 the child would be seriously injured or could not be taken into
24 custody if it were necessary to first obtain a court order pursuant
25 to RCW 13.34.050. The law enforcement agency or the department
26 investigating such a report is hereby authorized to photograph such a
27 child for the purpose of providing documentary evidence of the
28 physical condition of the child.

29 **Sec. 106.** RCW 26.44.056 and 2021 c 211 s 4 are each amended to
30 read as follows:

31 (1) An administrator of a hospital or similar institution or any
32 physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may
33 detain a child without consent of a person legally responsible for
34 the child whether or not medical treatment is required, if there is
35 probable cause to believe that detaining the child is necessary to
36 prevent imminent physical harm to the child due to child abuse or
37 neglect, including that which results from sexual abuse, sexual
38 exploitation, a high-potency synthetic opioid, or a pattern of severe

1 neglect, and the child would be seriously injured or could not be
2 taken into custody if it were necessary to first obtain a court order
3 under RCW 13.34.050: PROVIDED, That such administrator or physician
4 shall notify or cause to be notified the appropriate law enforcement
5 agency or child protective services pursuant to RCW 26.44.040. Such
6 notification shall be made as soon as possible and in no case longer
7 than ((seventy-two)) 72 hours. Such temporary protective custody by
8 an administrator or doctor shall not be deemed an arrest. Child
9 protective services may detain the child until the court assumes
10 custody, but in no case longer than ((seventy-two)) 72 hours,
11 excluding Saturdays, Sundays, and holidays.

12 (2) A child protective services employee, an administrator,
13 doctor, or law enforcement officer shall not be held liable in any
14 civil action for the decision for taking the child into custody, if
15 done in good faith under this section.

16 NEW SECTION. Sec. 107. A new section is added to chapter 43.216
17 RCW to read as follows:

18 (1) Subject to the availability of amounts appropriated for this
19 specific purpose, at least one legal liaison position shall be
20 established within the department in each of its regions to work with
21 both the department and the office of the attorney general for the
22 purpose of assisting with the preparation of child abuse and neglect
23 court cases.

24 (2) (a) To the extent possible, the workload of the legal liaisons
25 shall be geographically divided to reflect where the highest risk and
26 most vulnerable child abuse and neglect cases are filed.

27 (b) For the purpose of this subsection, "highest risk" and "most
28 vulnerable" are determined by the age of the child and whether the
29 child is particularly vulnerable given the child's medical or
30 developmental conditions.

31 (3) The department may determine the necessary qualifications for
32 the legal liaison positions established in this section.

33 **Sec. 108.** RCW 2.56.230 and 2008 c 279 s 2 are each amended to
34 read as follows:

35 (1) A superior court may apply for grants from the family and
36 juvenile court improvement grant program by submitting a local
37 improvement plan with the administrator for the courts. To be
38 eligible for grant funds, a superior court's local improvement plan

1 must meet the criteria developed by the administrator for the courts
2 and approved by the board for judicial administration. The criteria
3 must be consistent with the principles adopted for unified family
4 courts. At a minimum, the criteria must require that the court's
5 local improvement plan meet the following requirements:

6 (a) Commit to a chief judge assignment to the family and juvenile
7 court for a minimum of two years;

8 (b) Implementation of the principle of one judicial team hearing
9 all of the proceedings in a case involving one family, especially in
10 dependency cases;

11 (c) Require court commissioners and judges assigned to family and
12 juvenile court to receive a minimum of thirty hours specialized
13 training in topics related to family and juvenile matters within six
14 months of assuming duties in family and juvenile court. Where
15 possible, courts should utilize local, statewide, and national
16 training forums. A judicial officer's recorded educational history
17 may be applied toward the thirty-hour requirement. The topics for
18 training must include:

19 (i) Parentage;

20 (ii) Adoption;

21 (iii) Domestic relations;

22 (iv) Dependency and termination of parental rights;

23 (v) Child development;

24 (vi) The impact of child abuse and neglect;

25 (vii) Domestic violence;

26 (viii) Substance ((abuse)) use disorder, including the risk and
27 danger presented to children and youth;

28 (ix) Mental health;

29 (x) Juvenile status offenses;

30 (xi) Juvenile offenders;

31 (xii) Self-representation issues;

32 (xiii) Cultural competency;

33 (xiv) Roles of family and juvenile court judges and
34 commissioners;

35 (xv) How to apply the child safety framework to crucial aspects
36 of dependency cases, including safety assessment, safety planning,
37 and case planning; and

38 (xvi) The legal standards for removal of a child based on abuse
39 or neglect; and

1 (d) As part of the application for grant funds, submit a spending
2 proposal detailing how the superior court would use the grant funds.

3 (2) Courts receiving grant money must use the funds to improve
4 and support family and juvenile court operations based on standards
5 developed by the administrator for the courts and approved by the
6 board for judicial administration. The standards may allow courts to
7 use the funds to:

8 (a) Pay for family and juvenile court training of commissioners
9 and judges or pay for pro tem commissioners and judges to assist the
10 court while the commissioners and judges receive training;

11 (b) Pay for the training of other professionals involved in child
12 welfare court proceedings including, but not limited to, attorneys
13 and guardians ad litem;

14 (c) Increase judicial and nonjudicial staff, including
15 administrative staff to improve case coordination and referrals in
16 family and juvenile cases, guardian ad litem volunteers or
17 court-appointed special advocates, security, and other staff;

18 ~~((e))~~ (d) Improve the court facility to better meet the needs
19 of children and families;

20 ~~((d))~~ (e) Improve referral and treatment options for court
21 participants, including enhancing court facilitator programs and
22 family treatment court and increasing the availability of alternative
23 dispute resolution;

24 ~~((e))~~ (f) Enhance existing family and children support services
25 funded by the courts and expand access to social service programs for
26 families and children ordered by the court; and

27 ~~((f))~~ (g) Improve or support family and juvenile court
28 operations in any other way deemed appropriate by the administrator
29 for the courts.

30 (3) The administrator for the courts shall allocate available
31 grant moneys based upon the needs of the court as expressed in their
32 local improvement plan.

33 (4) Money received by the superior court under this program must
34 be used to supplement, not supplant, any other local, state, and
35 federal funds for the court.

36 (5) Upon receipt of grant funds, the superior court shall submit
37 to the administrator for the courts a spending plan detailing the use
38 of funds. At the end of the fiscal year, the superior court shall
39 submit to the administrator for the courts a financial report
40 comparing the spending plan to actual expenditures. The administrator

1 for the courts shall compile the financial reports and submit them to
2 the appropriate committees of the legislature.

3 NEW SECTION. **Sec. 109.** A new section is added to chapter 43.70
4 RCW to read as follows:

5 (1) The department, in collaboration with the department of
6 children, youth, and families and the poison information centers
7 described under chapter 18.76 RCW, shall convene a work group on
8 exposure of children to fentanyl to provide information for child
9 welfare workers, juvenile courts, caregivers, and families regarding
10 the risks of fentanyl exposure for children receiving child welfare
11 services defined under RCW 74.13.020 or child protective services
12 under RCW 26.44.020 and child welfare workers. The information shall
13 be made publicly available and distributed to child welfare court
14 professionals, including:

15 (a) Department of children, youth, and families employees
16 supporting or providing child welfare services as defined in RCW
17 74.13.020 or child protective services as defined in RCW 26.44.020;

18 (b) Attorneys;

19 (c) Judicial officers; and

20 (d) Guardians ad litem.

21 (2) This section expires July 1, 2025.

22 NEW SECTION. **Sec. 110.** A new section is added to chapter 2.56
23 RCW to read as follows:

24 (1) Subject to the availability of amounts appropriated for this
25 specific purpose, the administrative office of the courts shall
26 develop, deliver, and regularly update training regarding child
27 safety and the risk and danger presented to children and youth by
28 high-potency synthetic opioids and other substances impacting
29 families.

30 (2) The training established in this section must be:

31 (a) Informed by the information developed under section 109 of
32 this act; and

33 (b) Developed for and made available to judicial officers and
34 system partners in the dependency court system.

35

36

PART II
SERVICES FOR FAMILIES

1 NEW SECTION. **Sec. 201.** A new section is added to chapter 43.216
2 RCW to read as follows:

3 Subject to the availability of amounts appropriated for this
4 specific purpose, the department shall establish a pilot program for
5 contracted child care slots for infants in child protective services
6 in locales with the historically highest rates of child welfare
7 screened-in intake due to the exposure or presence of high-potency
8 synthetic opioids in the home, which may be used as part of a safety
9 plan. Unused slots under this section may be used for children who
10 are screened in due to a parent's substance use disorder when the
11 substance use disorder is related to a substance other than a high-
12 potency synthetic opioid.

13 NEW SECTION. **Sec. 202.** A new section is added to chapter 43.216
14 RCW to read as follows:

15 (1) Home visiting established by RCW 43.216.130 has been shown to
16 enhance child development and well-being by reducing the incidence of
17 child abuse and neglect, promoting connection to community-based
18 supports, and increasing school readiness for young children and
19 their families.

20 (2) Subject to the availability of amounts appropriated for this
21 specific purpose, the department shall enter into targeted contracts
22 with existing home visiting programs established by RCW 43.216.130 in
23 locales with the historically highest rates of child welfare
24 screened-in intake to serve families.

25 (3) Targeted contracted home visiting slots for families
26 experiencing high-potency synthetic opioid-related substance use
27 disorder promotes expedited access to supports that enhance
28 strengthened parenting skills and allows home visiting providers to
29 have predictable funding. Any targeted contracted slots the
30 department creates under this section must meet the requirements as
31 provided for in this act.

32 (4) Only existing home visiting providers are eligible to be
33 awarded targeted contracted slots. The targeted contracted slots are
34 reserved for programs in locales with the historically highest rates
35 of child welfare screened-in intakes.

36 (5) The department shall provide training specific to substance
37 use disorders for the home visiting providers selected for this
38 program.

1 (6) Families referred to home visiting services via the process
2 established in subsection (8) of this section must be contacted by
3 the contracted program within seven days of referral.

4 (7) The department shall award the contracted slots via a
5 competitive process. The department shall pay providers for each
6 targeted contracted slot using the rate provided to existing home
7 visiting providers.

8 (8) Eligible families shall be referred to the targeted
9 contracted slots through a referral process developed by the
10 department. The referral process shall include referrals from the
11 department's child welfare staff as well as community organizations
12 working with families meeting the criteria established in subsection
13 (9) of this section.

14 (9) Priority for targeted contracted home visiting slots shall be
15 given to:

- 16 (a) Families with child protective services open cases;
- 17 (b) Families with family assessment response open cases; and
- 18 (c) Families with family voluntary services open cases.

19 NEW SECTION. **Sec. 203.** A new section is added to chapter 41.05
20 RCW to read as follows:

21 (1) Subject to the availability of amounts appropriated for this
22 specific purpose, the authority shall expand specific treatment and
23 services to children and youth with prenatal substance exposure who
24 would benefit from evidence-based services impacting their behavioral
25 and physical health.

26 (2) The authority shall contract for the services authorized in
27 this section with behavioral health entities in a manner that allows
28 leveraging of federal medicaid funds to pay for a portion of the
29 costs.

30 (3) The authority shall consult with the department of children,
31 youth, and families in the implementation of the program and services
32 authorized under this section.

33 NEW SECTION. **Sec. 204.** (1) The department of children, youth,
34 and families shall provide funding and support for two pilot programs
35 to implement an evidence-based, comprehensive, intensive, in-home
36 parenting services support model to serve children and families from
37 birth to age 18 who are involved in child welfare, children's mental
38 health, or juvenile justice systems.

1 (2) The pilot programs established in this section are intended
2 to prevent or limit out-of-home placement through trauma-informed
3 support to the child, caregivers, and families with three in-person,
4 in-home sessions per week and provide on-call crisis support 24 hours
5 a day, seven days a week.

6 (3) One pilot program established in this section will serve
7 families west of the crest of the Cascade mountain range and one
8 pilot program established in this section will serve families east of
9 the crest of the Cascade mountain range. Each pilot program will
10 build upon existing programs to avoid duplication of existing
11 services available to children and families at risk of entering the
12 child welfare system.

13 (4) This section expires July 1, 2026.

14 NEW SECTION. **Sec. 205.** (1) Subject to the availability of funds
15 for this specific purpose, the department of health shall provide
16 funding to support promotoras in at least two communities. These
17 promotoras shall provide culturally sensitive, lay health education
18 for the Latinx community, and act as liaisons between their
19 community, health professionals, and human and social service
20 organizations.

21 (2) In determining which communities will be served by the
22 promotoras under this section, the department of health shall provide
23 funding to support one community west of the crest of the Cascade
24 mountain range and one community east of the crest of the Cascade
25 mountain range.

26 NEW SECTION. **Sec. 206.** A new section is added to chapter 74.13
27 RCW to read as follows:

28 Subject to the availability of amounts appropriated for this
29 specific purpose, the department shall establish a pilot program to
30 include third-party safety plan participants and public health nurses
31 in child protective services safety planning. The pilot program
32 established in this section must:

33 (1) Include contracts in up to four department offices for third-
34 party safety plan participants and public health nurses to support
35 child protective services workers in safety planning; and

36 (2) Provide support for cases involving high-potency synthetic
37 opioids and families who do not have natural supports to aid in
38 safety planning.

1 NEW SECTION. **Sec. 207.** A new section is added to chapter 74.13
2 RCW to read as follows:

3 The department shall make available to department staff high-
4 potency synthetic opioid testing strips that can detect the presence
5 of high-potency synthetic opioids that may be provided to families
6 for personal use or used by department staff to maintain their
7 safety.

8 NEW SECTION. **Sec. 208.** If specific funding for the purposes of
9 this act, referencing this act by bill or chapter number, is not
10 provided by June 30, 2024, in the omnibus appropriations act, this
11 act is null and void."

12 Correct the title.

EFFECT: Makes the following changes to the underlying bill:

Modifies the intent section to maintain consistency with other provisions of the bill.

Specifies that the great weight that the court is required to give when a pick-up order is requested or out-of-home placement is requested during a shelter care hearing applies to the court's determination of whether removal is necessary to prevent imminent physical harm to the child due to child abuse or neglect.

Includes a "high-potency synthetic opioid" in the nonexhaustive list of what constitutes "imminent physical harm" in two instances where that term was not added, which is consistent with the addition of that term added in other places describing what constitutes "imminent physical harm."

Specifies that to the extent possible, the workload of legal liaisons must be geographically divided to reflect where the highest risk and most vulnerable child abuse and neglect cases are filed.

Modifies the work group convened by the Department of Health to include collaboration with poison information centers, specifies that the work group is focused on exposure of children to fentanyl, adds caregivers to the groups this information is intended to provide information for, specifies that the fentanyl exposure is for children receiving child welfare services or child protective services, and requires that the information developed be publicly available.

Modifies the components of the required judicial training for counties receiving Family and Juvenile Court Improvement funding to include training on: (1) Substance use disorder, including the risk and danger to children; and (2) how to apply the child safety framework to crucial aspects of dependency cases, including safety assessment, safety planning, and case planning.

Adds a requirement that the Administrative Office of the Courts develop, deliver, and regularly update training regarding child safety and the risk and danger presented to children and youth by high-potency synthetic opioids and other substances impacting families.

Requires the Department of Children, Youth, and Families (DCYF) to make available to DCYF staff high-potency synthetic opioid testing strips that can detect the presence of high-potency synthetic opioids

that may be provided to families for their personal use or used by DCYF staff to maintain their safety.

A null and void clause is added, making the bill null and void unless funded in the budget.

--- **END** ---