

HOUSE BILL REPORT

HB 1406

As Reported by House Committee On:
Human Services, Youth, & Early Learning
Appropriations

Title: An act relating to youth seeking housing assistance and other related services.

Brief Description: Concerning youth seeking housing assistance and other related services.

Sponsors: Representatives Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio and Davis.

Brief History:

Committee Activity:

Human Services, Youth, & Early Learning: 1/25/23, 2/3/23 [DPS];
Appropriations: 2/15/23, 2/21/23 [DPS(HSEL)].

Brief Summary of Substitute Bill

- Authorizes a child to remain in a licensed shelter or with another licensed organization that provides services to homeless or runaway youth for up to 90 days if the shelter or organization is unable to make contact with a parent or the shelter or organization makes contact with the parent, but the parent does not request that the child return home.
- Requires the Office of Homeless Youth Prevention and Protection Programs to provide additional funding and assistance to contracted youth service providers or other entities who convene a community support team.
- Requires the Department of Children, Youth, and Families to offer Family Reconciliation Services to families or youth after receiving a report that a youth is away from a lawfully prescribed residence as soon as possible, but no later than three days, excluding weekends and holidays, after receiving a report.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

- Increases the length of time that a youth may remain in a HOPE Center to 90 days (from 30).

HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Senn, Chair; Cortes, Vice Chair; Taylor, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan, Dent, Goodman, Ortiz-Self, Rule and Walsh.

Staff: Luke Wickham (786-7146).

Background:

Office of Homeless Youth Prevention and Protection Programs.

The Office of Homeless Youth Prevention and Protection Programs (OHY) is a branch of the Department of Commerce and leads the statewide efforts to coordinate funding, policy, and practice efforts related to homeless youth and improving the safety, health, and welfare of homeless youth.

The OHY contracts with service providers that help prevent youth homelessness and serve youth and young adults who are experiencing homelessness. The OHY contracts with licensed youth shelter providers, including Crisis Residential Centers (CRC) and HOPE Centers.

Licensed Overnight Youth Shelters.

Any entity that provides 24-hour care to a child that is not a relative must be licensed by the Department of Children, Youth, and Families (DCYF). Overnight youth shelters may be licensed to provide care for youth ages 13 through 17 or youth ages 16 through 21.

When a youth first enters an overnight shelter, the facility must:

- determine whether the youth's parents are aware of the whereabouts of the youth;
- follow parental notification procedures (provided below); and
- notify law enforcement or the DCYF of any youth 12 years old or younger who is unaccompanied by an adult and requesting services.

If an overnight youth shelter or licensed organization providing services for runaway or homeless youth learns that a youth staying in its facility does not have parental permission, the facility must:

- notify the parent by telephone or other reasonable means unless compelling reasons exist within 72 hours, preferably within 24 hours;
- notify the DCYF if compelling reasons exist not to notify a parent including concerns

- of abuse or neglect; and
- review the publicly available information on missing youth made available by the Washington State Patrol at least every eight hours while the youth is present. If the youth is listed as missing, the facility must contact the DCYF.

HOPE Centers.

HOPE Centers provide temporary residential placements for street youth under age 18. These are homeless youth living on the street or other unsafe locations. Youth may self-refer to a HOPE Center for services, and entering a HOPE Center is voluntary. While residing in a HOPE Center, each youth will undergo a comprehensive assessment to include:

- the youth's legal status;
- a physical examination;
- a behavioral health evaluation; and
- an educational evaluation of their basic skills, along with any learning disabilities or special needs.

The purpose of the assessment is to develop the best plan for the youth. The plan will focus on finding a permanent and stable home for the youth. This plan might include reunifying the youth with a parent or legal guardian and getting the youth into a transitional living situation and off the streets.

No youth may remain in a HOPE Center longer than 30 days unless approved by the DCYF.

Crisis Residential Centers.

The CRCs operate as semi-secure or secure. A semi-secure CRC is not locked, but operates in a way that reasonably assures that youth placed there will not run away. Secure CRCs are designed and operated to prevent a youth from leaving without permission.

Family Reconciliation Services.

Family Reconciliation Services (FRS) are voluntary services for runaway adolescents, and youth in conflict with their families. The program targets adolescents between ages 12 through 17. The FRS are meant to resolve temporary crisis situations and prevent unnecessary out-of-home placement. The goal is to return the family to a precrisis state and to work with the family to identify alternative methods of handling similar conflicts. If longer-term service needs are identified, the FRS will help facilitate getting the youth and his or her family into ongoing services.

The FRS may include, but are not limited to:

- short-term family counseling;
- CRC services;
- referrals for substance abuse treatment and/or counseling;
- referrals for behavioral health services;
- short-term placement; and
- family assessments in conjunction with juvenile court services.

Summary of Substitute Bill:

The Department of Children, Youth, and Families (DCYF) is required to offer Family Reconciliation Services to families or youth after receiving a report that a youth is away from a lawfully prescribed residence as soon as possible, but no later than three days, excluding weekends and holidays, after receiving a report.

A child is authorized to remain in a licensed overnight youth shelter or with another licensed organization with a stated mission to provide services to homeless or runaway youth and their families for up to 90 days, subject to any limitations established by those shelters or organizations, if:

- the shelter or organization is unable to make contact with a parent despite the required notification efforts; or
- the shelter or organization makes contact with the parent, but the parent does not request that the child return home even if the parent does not provide consent for the child to remain.

In the circumstance described above, the shelter or organization must notify the DCYF.

The length of time that a youth may remain in a HOPE Center is increased to 90 days (from 30).

A child may remain in an out-of-home placement following law enforcement placement in a crisis residential center beyond 72 hours if the parent has not requested that the child return home.

The Office of Homeless Youth Prevention and Protection Programs must provide additional funding and assistance to contracted youth service providers or other entities who convene a community support team (Team). The purpose of the Team is to help identify supports for a youth and the youth's family, focused on resolving family conflict and on obtaining or maintaining long-term and stable housing. The Team must prioritize reunification between the youth and the youth's family to the extent possible without endangering the health, safety, or welfare of the child. The Team may not engage with a family member other than the youth if the parent, guardian, or legal custodian objects to the support or assistance that is offered or provided.

The Team must include the youth and supportive adults identified by the youth.

The Team must develop a process that allows youth who enter a licensed overnight youth shelter or other licensed organization with a stated mission to provide services to homeless or runaway youth and their families to request assistance from the Team.

Any youth who enters a licensed overnight youth shelter or other licensed organization is eligible for the Team.

Substitute Bill Compared to Original Bill:

The substitute bill specifies that if a family or youth is being served by the community support team (Team) created in the underlying bill, the Department of Children, Youth, and Families (DCYF) or contractor providing Family Reconciliation Services (FRS) must still offer FRS and coordinate with the Team.

The substitute bill requires that a licensed shelter or organization serving a youth who remains in the shelter under the authorization provided in the underlying bill must notify the DCYF.

The substitute bill specifies that the minor may provide authorization to remain in a licensed overnight youth shelter or other licensed organization as provided in the underlying bill, but subject to any limits established by those licensed shelters or organizations.

The substitute bill specifies that when a youth remains in a shelter for up to 90 days following the shelter or organization making contact with a parent but the parent not requesting that the child return home, the child may remain there even if the parent does not provide consent for the minor to remain.

The substitute bill specifies that requirement for the FRS to offer services within three days excludes weekends and holidays.

The substitute bill allows a child to remain in an out-of-home placement following law enforcement placement in a crisis residential center beyond 72 hours if the parent has not requested that the child return home.

The substitute bill modifies the purpose of the Team to identify supports for a youth focused on resolving family conflict, and requires the Team to prioritize reunification between the youth and the youth's family to the extent possible without endangering the health, safety, or welfare of the child. The substitute bill prohibits the Team from engaging with a family member other than the youth if the parent, guardian, or legal custodian objects to the support or assistance that is offered or provided.

The substitute bill modifies the individuals required to be included in the Team to only require the youth and supportive adults identified by the youth and specifies that the Team must coordinate efforts, if appropriate, with the DCYF or designated contractor providing FRS, multi-disciplinary teams, and other nearby youth homelessness assistance programs.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

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

Staff Summary of Public Testimony:

(In support) Youth homelessness service organizations experience youth who have been kicked out or where the family is homeless. Many times, there is family conflict that homeless organizations and shelters are able to resolve and allow youth to return safely home. For many organizations, there is a 72-hour window to get parental permission for a youth to remain in a shelter. The goal for these organizations is always to get the youth back home safely. Unfortunately, sometimes legal guardians cannot be found or contacted. Sometimes these legal guardians are homeless themselves. It makes it a little bit more difficult for folks to contact them on time. Additionally, the legal guardian simply may have abandoned the youth.

When youth are turned away from licensed shelter and other organizations, they often turn to unsafe people on the street.

When a parent requests that a child return home, a licensed shelter must adhere to the parent's request, and this bill would also offer services to the family.

Parents are often unreachable or not willing to allow children to return home. This bill would provide a mechanism for youth to have a safe place to stay while the family conflict is resolved.

Current efforts to engage with youth have been effective in allowing children to safely return home and identifying permanent housing.

This bill is essential because friction exists in families, and families need more than 72 hours to resolve that conflict.

There are times when parents depart the country and leave a child unable to consent to receive shelter.

The youth shelters are not accessible to kids who need a place to stay when they have nowhere else to go. Many youth need to go to a shelter because they do not have a safe adult who can take care of them.

One of the consistent barriers to youth remaining in a shelter is the need for parental consent. Gaining parental consent within 72 hours is challenging. When youth cannot receive consent, they may be forced into homelessness or other nontherapeutic settings like emergency rooms.

A longer time is needed to uncover the challenges that may have created the need for the

young person to seek shelter, work together, and put the supports and interventions in place so that they can seek a long-term resolution.

National data demonstrates that 70 percent of homeless youth experienced violence, and 40 percent are victims of sexual exploitation at least once in one year.

(Opposed) This bill does not address the problem; it only offers vague and potentially harmful solutions to the family. Youth have overdosed in the parking lots of youth homelessness shelters. Taxpayers are funding the ability for children to run away. Some of these children are coming from good families and are not runaway children truly needing the services. This language of "trusted adult" could be easily used by people who do not have the child's best interests at heart.

(Other) This bill is of great concern regarding childhood trauma and abuse. There is a population of teens who need this, but the language used here is very vague. Some adults in homeless shelters make family conflict much worse, sometimes giving children razors and assisting youth in filing Child in Need of Services petitions. When teens are in crisis, they are easy prey.

Persons Testifying: (In support) Representative Julio Cortes, prime sponsor; Samuel Martin and Avianah McKenna, The Mockingbird Society; Angela Engels, Cocoon House; Jessica Friendmann, YouthCare; Rhea Yo, Legal Counsel for Youth and Children; Elizabeth Dawson and Karen Pillar, TeamChild; and Samuel Martin, Washington Coalition For Homeless Youth Advocacy.

(Opposed) Jo Ann Tolentino.

(Other) Julie Barrett, Conservative Ladies of Washington.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Human Services, Youth, & Early Learning be substituted therefor and the substitute bill do pass. Signed by 31 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; Berg, Chandler, Chopp, Connors, Couture, Davis, Dye, Fitzgibbon, Hansen, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Steele, Stonier and Tharinger.

Staff: Jessica Van Horne (786-7288).

Summary of Recommendation of Committee On Appropriations Compared to

Recommendation of Committee On Human Services, Youth, & Early Learning:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Young people experience homelessness for a variety of reasons. Parents can be deceased, experiencing a substance use disorder, or reject their child's identity; they can also be unavailable, unresponsive, or refuse to let a youth return home. The current system allows homeless youth to be forced back into a household after 72 hours despite there being no change to the underlying conditions that caused them to leave. This bill will ensure that youth who are disconnected from their families can stay somewhere safe for a longer period of time, and access support. It will expand family reconciliation services, and aims to create circles of trusted adults to help stabilize youth in crisis. Community support teams have been a successful intervention in several jurisdictions in Washington. The teams partner with other agencies to provide navigation, counseling, and legal services, and have high rates of family reunification and returns to permanent housing. Young people know their needs best, and it is important to put youth in a position to express their needs as best as possible.

(Opposed) None.

Persons Testifying: Alex Hur, Northwest Education Access; Avianah McKenna and Samuel Martin, Mockingbird Society; Erin Shea McCann, Legal Counsel for Youth and Children; and Karen Pillar, TeamChild.

Persons Signed In To Testify But Not Testifying: None.