

WSR 23-04-024
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES
[Filed January 24, 2023, 12:35 p.m.]

Subject of Possible Rule Making: The department of children, youth, and families (DCYF) wants to amend the definition of Indian child in WAC 110-110-0010.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090; chapter 13.38 RCW; and 25 U.S.C. chapter 21.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed for the delivery of child welfare services and, more specifically, for the department to better identify when to apply state and federal Indian Child Welfare Acts codified at chapter 13.38 RCW and 25 U.S.C. chapter 21, respectively. This rule making will address issues identified in the court's opinion in Matter of Dependency of Z.J.G., 196 Wn.2d 152, 471 P.3d 853 (2020).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DCYF is coordinating rule development with tribal governments by convening a tribal-state workgroup to inform rule development. Final rules will be the subject of a formal tribal consultation.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Robert Smith, 1500 Jefferson Street, Olympia, WA 98504, phone 360-407-1602, email Robert.Smith@dcyf.wa.gov.

January 24, 2023
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