

2 SSB 6111 - H COMM AMD
3 By Committee on Human Services

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. (1) It is the intent of the legislature
8 to make available, within available funds, intensive services to
9 children and families that are designed to prevent the unnecessary
10 imminent placement of children in foster care, and designed to
11 facilitate the reunification of the children with their families.
12 These services are known as family preservation services and are
13 characterized by the following values, beliefs, and goals:

14 (a) Safety of the child is always the first concern;

15 (b) Children need their families and should be raised by their own
16 families whenever possible;

17 (c) Interventions should focus on family strengths and be
18 responsive to individual family needs; and

19 (d) Improvement of family functioning is essential in order to
20 promote the child's health, safety, and welfare and thereby allow the
21 family to remain intact and allow children to remain at home.

22 (2) Subject to the availability of funds for such purposes, the
23 legislature intends for family preservation services to be made
24 available to all eligible families on a state-wide basis through a
25 phased-in process. Except as otherwise specified by statute, the
26 department of social and health services shall have the authority and
27 discretion to implement and expand family preservation services
28 according to a plan and time frame determined by the department.

1 (3) Nothing in this chapter shall be construed to create an
2 entitlement to services nor to create judicial authority to order the
3 provision of family preservation services to any person or family where
4 the department has determined that such services are unavailable or
5 unsuitable or that the child or family are not eligible for such
6 services."

7 "NEW SECTION. Sec. 2. Unless the context clearly requires
8 otherwise, the definitions in this section apply throughout this
9 chapter.

10 (1) "Department" means the department of social and health
11 services.

12 (2) "Family preservation services" means services that are
13 delivered primarily in the home, that follow intensive service models
14 with demonstrated effectiveness in reducing or avoiding the need for
15 unnecessary imminent foster care placement, and that have all of the
16 characteristics delineated in section 3 of this act.

17 (3) "Foster care" means placement of a child by the department or
18 a licensed child placing agency in a home or facility licensed pursuant
19 to chapter 74.15 RCW, or in a home or facility that is not required to
20 be licensed pursuant to chapter 74.15 RCW.

21 (4) "Imminent" means a decision has been made by the department
22 that, without family preservation services, a petition requesting the
23 removal of a child from the family home will be immediately filed under
24 chapter 13.32A or 13.34 RCW, or that a voluntary placement agreement
25 will be immediately initiated."

26 "NEW SECTION. Sec. 3. Family preservation services shall have
27 all of the following characteristics:

1 (1) Services are provided by specially trained caseworkers who have
2 received at least forty hours of training from recognized family
3 preservation services experts. Caseworkers provide the services in the
4 family's home, and may provide some of the services in other natural
5 environments of the family, such as their neighborhood or schools;

6 (2) Caseload size averages two families per caseworker;

7 (3) The services to the family are provided by a single caseworker,
8 with backup caseworkers identified to provide assistance as necessary;

9 (4) Caseworkers have the authority and discretion to spend funds,
10 up to a maximum amount specified by the department, to help families
11 obtain necessary food, shelter, or clothing, or to purchase other goods
12 or services that will enhance the effectiveness of intervention;

13 (5) Services are available to the family within twenty-four hours
14 following receipt of a referral to the program;

15 (6) Services are available to the family twenty-four hours a day
16 and seven days a week;

17 (7) Duration of service is limited to a maximum of forty days,
18 unless the department authorizes an additional provision of service
19 through an exception to policy;

20 (8) Services assist the family to improve parental and household
21 management competence and to solve practical problems that contribute
22 to family stress so as to effect improved parental performance and
23 enhanced functioning of the family unit; and

24 (9) Services help families locate and utilize additional
25 assistance, including, but not limited to, counseling and treatment
26 services, housing, child care, education, job training, emergency cash
27 grants, state and federally funded public assistance, and other basic
28 support services."

1 "NEW SECTION. Sec. 4.

2 (1) The department shall be the lead
3 administrative agency for family preservation services and may receive
4 funding from any source for the implementation or expansion of such
5 services. The department shall:

6 (a) Provide coordination and planning for the implementation and
7 expansion of family preservation services; and

8 (b) Monitor and evaluate such services to determine whether the
9 programs meet measurable standards specified by this chapter and the
10 department.

11 (2) In carrying out the requirements of subsection (1)(a) of this
12 section, the department shall consult and coordinate with at least one
13 qualified private, nonprofit agency that has demonstrated expertise and
14 experience in family preservation services.

15 (3) The department may provide family preservation services
16 directly and shall, within available funds, contract with private,
17 nonprofit social service agencies to provide services, provided that
18 such agencies meet measurable standards specified by this chapter and
19 by the department.

20 (4) The department shall not continue direct provision of family
21 preservation services unless it is demonstrated that provision of such
22 services prevents foster care placement in at least seventy percent of
23 the cases served for a period of at least six months following
24 termination of services.

25 The department shall not renew a contract with a service provider
26 unless the provider can demonstrate that provision of services prevents
27 foster care placement in at least seventy percent of the cases served
for a period of at least six months following termination of service."

1 "NEW SECTION. **Sec. 5.** (1) Family preservation services may be
2 provided to children and their families only when the department has
3 determined that:

4 (a) The child has been placed in foster care or is at actual,
5 imminent risk of foster care placement due to:

6 (i) Child abuse or neglect;

7 (ii) A serious threat of substantial harm to the child's health,
8 safety, or welfare; or

9 (iii) Family conflict; and

10 (b) There are no other available services that will prevent foster
11 care placement of the child or make it possible to immediately return
12 the child home.

13 (2) The department shall refer eligible families to family
14 preservation services on a twenty-four hour intake basis. The
15 department need not refer otherwise eligible families, and family
16 preservation services need not be provided, if:

17 (a) The services are not available in the community in which the
18 family resides;

19 (b) The services cannot be provided because the program is filled
20 to capacity and there are no current service openings;

21 (c) The family refuses the services;

22 (d) The department, or the agency that is supervising the foster
23 care placement, has developed a case plan that does not include
24 reunification of the child and family; or

25 (e) The department or the contracted service provider determines
26 that the safety of a child, a family member, or persons providing the
27 service would be unduly threatened.

28 (3) Nothing in this chapter shall prevent provision of family
29 preservation services to nonfamily members when the department or the

1 service provider deems it necessary or appropriate to do so in order to
2 assist the family or child."

3 "NEW SECTION. Sec. 6. (1) The department shall, within
4 available funds, conduct a family preservation services study in at
5 least one region within the state. In developing and conducting the
6 project, the department shall consult and coordinate with at least one
7 qualified private, nonprofit agency that has demonstrated expertise and
8 experience in family preservation services. The purpose of the study
9 is to:

10 (a) Develop a valid and reliable process for accurately identifying
11 clients who are eligible for family preservation services;

12 (b) Collect data on which to base projections of service needs,
13 budget requests, and long-range planning;

14 (c) Develop regional and state-wide projections of service needs;

15 (d) Develop a cost estimate for implementation and expansion of
16 family preservation services on a state-wide basis;

17 (e) Develop a long-range plan and time frame for expanding the
18 availability of family preservation services and ultimately making such
19 services available to all eligible families on a state-wide basis; and

20 (f) Collect data regarding the number of children in foster care,
21 group care, and institutional placements due to medical needs, mental
22 health needs, developmental disabilities, and juvenile offenses, and
23 assess the feasibility of expanding family preservation service
24 eligibility to include all of these children.

25 (2) The department shall prepare a report to the legislature that
26 addresses the objectives set forth in subsection (1) of this section.
27 The report shall address the feasibility of expanding and implementing
28 family preservation services on a state-wide basis. The report is due
29 January 1, 1993."

1 "NEW SECTION. **Sec. 7.** For the purpose of providing family
2 preservation services to children who would otherwise be removed from
3 their homes, the department may:

4 (1) Solicit and use any available federal or private resources,
5 which may include funds, in-kind resources, or volunteer services; and

6 (2) Use any available state resources, which may include in-kind
7 resources or volunteer services."

8 "NEW SECTION. **Sec. 8.** The department's provision of family
9 preservation services under section 4(3) of this act is not intended to
10 replace existing contracts with private nonprofit social service
11 agencies that provide family preservation services."

12 "NEW SECTION. **Sec. 9.** (1) The secretary of social and health
13 services may transfer funds appropriated for foster care services to
14 purchase family preservation services for children at imminent risk of
15 foster care placement.

16 (2) The secretary of social and health services shall notify the
17 juvenile issues task force established under chapter 234, Laws of 1991,
18 of any fund transfers under this section and shall include caseload,
19 expenditure, cost avoidance, identified improvements of the foster care
20 system, and outcome data related to the transfer.

21 (3) The juvenile issues task force shall review the data submitted
22 under this section and report its findings and recommendations on the
23 transfer of funds authorized under this section to the appropriate
24 committees of the senate and house of representatives by December 15,
25 1992. The task force shall identify ways to improve the foster care
26 system and expand family preservation services with the savings
27 generated through the provision of family preservation services by

1 avoiding the placement of children at imminent risk of foster care
2 placement."

3 "NEW SECTION. Sec. 10. Any federal funds made available under
4 section 7 of this act shall be used to supplement and shall not
5 supplant state funds to carry out the purposes of this chapter."

6 "NEW SECTION. Sec. 11. Sections 1 through 10 of this act shall
7 constitute a new chapter in Title 74 RCW."

8 "NEW SECTION. Sec. 12. If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected."

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15 On page 1, line 1 of the title, after "services;" strike the
16 remainder of the title and insert "and adding a new chapter to Title 74
17 RCW."