

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6514

Chapter 240, Laws of 1996
(partial veto)

54th Legislature
1996 Regular Session

PRESERVATION SERVICES FOR FAMILIES--ENHANCEMENT

EFFECTIVE DATE: 6/6/96

Passed by the Senate March 4, 1996
YEAS 44 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 28, 1996
YEAS 92 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 28, 1996, with the
exception of section 1, which is
vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
SUBSTITUTE SENATE BILL 6514 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

MARTY BROWN

Secretary

FILED

March 28, 1996 - 5:15 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6514

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Long, Hargrove, Schow, Kohl and Winsley)

Read first time 02/02/96.

1 AN ACT Relating to preservation services; amending RCW 74.14C.010,
2 74.14C.020, 74.14C.030; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 ***NEW SECTION.** *Sec. 1. The legislature intends this act to*
5 *accomplish the following: (1) Prevent unnecessary out-of-home*
6 *placement by targeting services to families most at risk; (2) Increase*
7 *flexibility in the delivery of preservation services; (3) allow the use*
8 *of paraprofessional workers and community support systems; (4) allow*
9 *the use of follow-up as necessary; (5) increase the maximum service*
10 *duration; and (6) increase the maximum caseload.*

11 **Sec. 1 was vetoed. See message at end of chapter.*

12 **Sec. 2.** RCW 74.14C.010 and 1995 c 311 s 2 are each amended to read
13 as follows:

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout this chapter.

16 (1) "Department" means the department of social and health
17 services.

1 (2) "Community support systems" means the support that may be
2 organized through extended family members, friends, neighbors,
3 religious organizations, community programs, cultural and ethnic
4 organizations, or other support groups or organizations.

5 (3) "Family preservation services" means in-home or community-based
6 services drawing on the strengths of the family and its individual
7 members while addressing family needs to strengthen and keep the family
8 together where possible and may include:

9 (a) Respite care of children to provide temporary relief for
10 parents and other caregivers;

11 (b) Services designed to improve parenting skills with respect to
12 such matters as child development, family budgeting, coping with
13 stress, health, safety, and nutrition; and

14 (c) Services designed to promote the well-being of children and
15 families, increase the strength and stability of families, increase
16 parents' confidence and competence in their parenting abilities,
17 promote a safe, stable, and supportive family environment for children,
18 and otherwise enhance children's development.

19 Family preservation services shall have the characteristics
20 delineated in RCW 74.14C.020 (2) and (3).

21 (~~(3)~~) (4) "Imminent" means a decision has been made by the
22 department that, without intensive family preservation services, a
23 petition requesting the removal of a child from the family home will be
24 immediately filed under chapter 13.32A or 13.34 RCW, or that a
25 voluntary placement agreement will be immediately initiated.

26 (~~(4)~~) (5) "Intensive family preservation services" means
27 community-based services that are delivered primarily in the home, that
28 follow intensive service models with demonstrated effectiveness in
29 reducing or avoiding the need for unnecessary imminent out-of-home
30 placement, and that have all of the characteristics delineated in RCW
31 74.14C.020 (1) and (3).

32 (~~(5)~~) (6) "Out-of-home placement" means a placement in a foster
33 family home or group care facility licensed pursuant to chapter 74.15
34 RCW or placement in a home, other than that of the child's parent,
35 guardian, or legal custodian, not required to be licensed pursuant to
36 chapter 74.15 RCW.

37 (~~(6)~~) (7) "Paraprofessional worker" means any individual who is
38 trained and qualified to provide assistance and community support
39 systems development to families and who acts under the supervision of

1 a preservation services therapist. The paraprofessional worker is not
2 intended to replace the role and responsibilities of the preservation
3 services therapist.

4 (8) "Preservation services" means family preservation services and
5 intensive family preservation services that consider the individual
6 family's cultural values and needs.

7 **Sec. 3.** RCW 74.14C.020 and 1995 c 311 s 3 are each amended to read
8 as follows:

9 (1) Intensive family preservation services shall have all of the
10 following characteristics:

11 (a) Services are provided by specially trained service providers
12 who have received at least forty hours of training from recognized
13 intensive in-home services experts. Service providers deliver the
14 services in the family's home, and other environments of the family,
15 such as their neighborhood or schools;

16 (b) Caseload size averages two families per service provider unless
17 paraprofessional services are utilized, in which case a provider may,
18 but is not required to, handle an average caseload of five families;

19 (c) The services to the family are provided by a single service
20 provider who may be assisted by paraprofessional workers, with backup
21 providers identified to provide assistance as necessary;

22 (d) Services are available to the family within twenty-four hours
23 following receipt of a referral to the program; and

24 (e) Duration of service is limited to a maximum of forty days,
25 unless ~~((the department authorizes an additional provision of service~~
26 ~~through an exception to policy))~~ paraprofessional workers are used, in
27 which case the duration of services is limited to a maximum of ninety
28 days. The department may authorize an additional provision of service
29 through an exception to policy when the department and provider agree
30 that additional services are needed.

31 (2) Family preservation services shall have all of the following
32 characteristics:

33 (a) Services are delivered primarily in the family home or
34 community;

35 (b) Services are committed to reinforcing the strengths of the
36 family and its members and empowering the family to solve problems and
37 become self-sufficient;

1 (c) Services are committed to providing support to families through
2 community organizations including but not limited to school, church,
3 cultural, ethnic, neighborhood, and business;

4 (d) Services are available to the family within forty-eight hours
5 of referral unless an exception is noted in the file;

6 (e) Duration of service is limited to a maximum of ~~((ninety days))~~
7 six months, unless the department ~~((authorizes an additional provision~~
8 ~~of service through an exception to policy))~~ requires additional follow-
9 up on an individual case basis; and

10 (f) Caseload size no more than ten families per service provider,
11 which can be adjusted ~~((according to exceptions defined))~~ when
12 paraprofessional workers are used or required by the department.

13 (3) Preservation services shall include the following
14 characteristics:

15 (a) Services protect the child and strengthen the family;

16 (b) Service providers have the authority and discretion to spend
17 funds, up to a maximum amount specified by the department, to help
18 families obtain necessary food, shelter, or clothing, or to purchase
19 other goods or services that will enhance the effectiveness of
20 intervention;

21 (c) Services are available to the family twenty-four hours a day
22 and seven days a week;

23 (d) Services enhance parenting skills, family and personal self-
24 sufficiency, functioning of the family, and reduce stress on families;
25 and

26 (e) Services help families locate and use additional assistance
27 including, but not limited to, the development and maintenance of
28 community support systems, counseling and treatment services, housing,
29 child care, education, job training, emergency cash grants, state and
30 federally funded public assistance, and other basic support services.

31 **Sec. 4.** RCW 74.14C.030 and 1995 c 311 s 4 are each amended to read
32 as follows:

33 (1) The department shall be the lead administrative agency for
34 preservation services and may receive funding from any source for the
35 implementation or expansion of such services. The department shall:

36 (a) Provide coordination and planning with the advice of the
37 community networks for the implementation and expansion of preservation
38 services; and

1 (b) Monitor and evaluate such services to determine whether the
2 programs meet measurable standards specified by this chapter and the
3 department.

4 (2) The department may: (a) Allow its contractors for preservation
5 services to use paraprofessional workers when the department and
6 provider determine the use appropriate. The department may also use
7 paraprofessional workers, as appropriate, when the department provides
8 preservation services; and (b) allow follow-up to be provided, on an
9 individual case basis, when the department and provider determine the
10 use appropriate.

11 (3) In carrying out the requirements of this section, the
12 department shall consult with qualified agencies that have demonstrated
13 expertise and experience in preservation services.

14 (~~(3)~~) (4) The department may provide preservation services
15 directly and shall, within available funds, enter into outcome-based,
16 competitive contracts with social service agencies to provide
17 preservation services, provided that such agencies meet measurable
18 standards specified by this chapter and by the department. The
19 standards shall include, but not be limited to, satisfactory
20 performance in the following areas:

21 (a) The number of families appropriately connected to community
22 resources;

23 (b) Avoidance of new referrals accepted by the department for child
24 protective services or family reconciliation services within one year
25 of the most recent case closure by the department;

26 (c) Consumer satisfaction;

27 (d) For reunification cases, reduction in the length of stay in
28 out-of-home placement; and

29 (e) Reduction in the level of risk factors specified by the
30 department.

31 (~~(4)~~) (5)(a) The department shall not provide intensive family
32 preservation services unless it is demonstrated that provision of such
33 services prevent out-of-home placement in at least seventy percent of
34 the cases served for a period of at least six months following
35 termination of services. The department's caseworkers may only provide
36 preservation services if there is no other qualified entity willing or
37 able to do so.

38 (b) Contractors shall demonstrate that provision of intensive
39 family preservation services prevent out-of-home placement in at least

1 seventy percent of the cases served for a period of no less than six
2 months following termination of services. The department may increase
3 the period of time based on additional research and data. If the
4 contractor fails to meet the seventy percent requirement the department
5 may: (I) Review the conditions that may have contributed to the
6 failure to meet the standard and renew the contract if the department
7 determines: (A) The contractor is making progress to meet the
8 standard; or (B) conditions unrelated to the provision of services,
9 including case mix and severity of cases, contributed to the failure;
10 or (ii) reopen the contract for other bids.

11 (c) The department shall cooperate with any person who has a
12 contract under this section in providing data necessary to determine
13 the amount of reduction in foster care. For the purposes of this
14 subsection "prevent out-of-home placement" means that a child who has
15 been a recipient of intensive family preservation services has not been
16 placed outside of the home, other than for a single, temporary period
17 of time not exceeding fourteen days.

18 (6) The department shall adopt rules to implement this chapter.

Passed the Senate March 4, 1996.

Passed the House February 28, 1996.

Approved by the Governor March 28, 1996, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 28, 1996.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 1,
3 Substitute Senate Bill No. 6514 entitled:

4 "AN ACT Relating to preservation services;"

5 Substitute Senate Bill No. 6514 authorizes the use of
6 paraprofessional workers to provide support services to families
7 receiving preservation services from the Department of Social and
8 Health Services (DSHS) or its contractors. This bill also allows DSHS
9 and its contractors, when using paraprofessionals, to serve more
10 families and to provide preservation services for a longer period of
11 time.

12 Section 1 of this measure states that it is the intent of the
13 legislature to target preservation services to families "most at risk".
14 This language suggests that DSHS must prioritize the provision of
15 preservation services to families who are at high risk of having their
16 children removed from their home due to abuse or neglect. More
17 specifically, this language may be read as suggesting that the
18 department serve high risk families before serving families who are at
19 lower risk of an out-of-home placement, but who nevertheless have
20 placed their children in danger and who could benefit from services
21 designed to prevent the situation from escalating into a crisis
22 resulting in an out-of-home placement.

1 While I agree that scarce resources should be targeted whenever
2 possible, section 1 seems to be unduly restrictive and contrary to the
3 prevention-oriented focus of Engrossed Substitute Senate Bill No. 5885.
4 That important legislation, which was enacted last year and for which
5 the legislature has appropriated funding this year, contained a clear
6 expression of the legislature's intent to provide "up-front services"
7 to strengthen families and to prevent out-of-home placements. Last
8 year's measure also expanded preservation services to include less
9 intensive services for families who are at lower risk of an out-of-home
10 placement.

11 The 1996 supplemental operating budget, Engrossed Substitute Senate
12 Bill No. 6251, expressly provides funding both for the existing
13 intensive preservation services for high risk families and for the new
14 preservation services established last year for lower risk families.
15 Section 1 appears to be inconsistent with this legislative direction.

16 For these reasons, I have vetoed section 1 of Substitute Senate
17 Bill No. 6514.

18 With the exception of section 1, Substitute Senate Bill No. 6514 is
19 approved."