
SENATE BILL 5462

State of Washington

56th Legislature

1999 Regular Session

By Senators Hargrove, Wojahn, Deccio, Loveland, Winsley, Snyder, Spanel, Oke, McAuliffe, Gardner, Bauer and Patterson; by request of Department of Community, Trade, and Economic Development and Department of Social and Health Services

Read first time 01/22/1999. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to the provision of services to the homeless;
2 amending RCW 74.13.020 and 74.13.031; adding new sections to chapter
3 43.63A RCW; creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that homelessness is
6 a significant problem in Washington. Planning for and serving the
7 shelter and housing needs of the homeless has been and continues to be
8 a responsibility of the department of community, trade, and economic
9 development. In order to adequately and effectively address the
10 complex issues confronting homeless families with children, planning
11 for and evaluating such services must be a collaborative effort between
12 the department of community, trade, and economic development, the
13 department of social and health services, other local, state, and
14 federal government agencies, and community organizations. It is the
15 intent of the legislature that children should not be placed in the
16 foster care system if homelessness is the primary reason for placement
17 or the continuation of their placement.

1 **Sec. 2.** RCW 74.13.020 and 1979 c 155 s 76 are each amended to read
2 as follows:

3 As used in Title 74 RCW, child welfare services shall be defined as
4 public social services including adoption services which strengthen,
5 supplement, or substitute for, parental care and supervision for the
6 purpose of:

7 (1) Preventing or remedying, or assisting in the solution of
8 problems which may result in families in conflict, or the neglect,
9 abuse, exploitation, or criminal behavior of children;

10 (2) Protecting and caring for (~~((homeless,))~~) dependent, abused, or
11 neglected children;

12 (3) Assisting children who are in conflict with their parents, and
13 assisting parents who are in conflict with their children with services
14 designed to resolve such conflicts;

15 (4) Protecting and promoting the welfare of children, including the
16 strengthening of their own homes where possible, or, where needed;

17 (5) Providing adequate care of children away from their homes in
18 foster family homes or day care or other child care agencies or
19 facilities.

20 As used in this chapter, child means a person less than eighteen
21 years of age.

22 **Sec. 3.** RCW 74.13.031 and 1998 c 314 s 10 are each amended to read
23 as follows:

24 The department shall have the duty to provide child welfare
25 services and shall:

26 (1) Have authority to develop, administer, supervise, and monitor
27 a coordinated and comprehensive plan that establishes(~~((aid,))~~) and
28 strengthens services for the protection and care of (~~((homeless,~~
29 ~~runaway))~~) abused, dependent, or neglected children.

30 (2) Within available resources, recruit an adequate number of
31 prospective adoptive and foster homes, both regular and specialized,
32 i.e. homes for children of ethnic minority, including Indian homes for
33 Indian children, sibling groups, handicapped and emotionally disturbed,
34 teens, pregnant and parenting teens, and annually report to the
35 governor and the legislature concerning the department's success in:
36 (a) Meeting the need for adoptive and foster home placements; (b)
37 reducing the foster parent turnover rate; (c) completing home studies
38 for legally free children; and (d) implementing and operating the

1 passport program required by RCW 74.13.285. The report shall include
2 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

3 (3) Investigate complaints of any recent act or failure to act on
4 the part of a parent or caretaker that results in death, serious
5 physical or emotional harm, or sexual abuse or exploitation, or that
6 presents an imminent risk of serious harm, and on the basis of the
7 findings of such investigation, offer child welfare services in
8 relation to the problem to such parents, legal custodians, or persons
9 serving in loco parentis, and/or bring the situation to the attention
10 of an appropriate court, or another community agency: PROVIDED, That
11 an investigation is not required of nonaccidental injuries which are
12 clearly not the result of a lack of care or supervision by the child's
13 parents, legal custodians, or persons serving in loco parentis. If the
14 investigation reveals that a crime against a child may have been
15 committed, the department shall notify the appropriate law enforcement
16 agency.

17 (4) Offer, on a voluntary basis, family reconciliation services to
18 families who are in conflict.

19 (5) Monitor out-of-home placements, on a timely and routine basis,
20 to assure the safety, well-being, and quality of care being provided is
21 within the scope of the intent of the legislature as defined in RCW
22 74.13.010 and 74.15.010, and annually submit a report measuring the
23 extent to which the department achieved the specified goals to the
24 governor and the legislature.

25 (6) Have authority to accept custody of children from parents and
26 to accept custody of children from juvenile courts, where authorized to
27 do so under law, to provide child welfare services including placement
28 for adoption, and to provide for the physical care of such children and
29 make payment of maintenance costs if needed. Except where required by
30 Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency
31 which receives children for adoption from the department shall
32 discriminate on the basis of race, creed, or color when considering
33 applications in their placement for adoption.

34 (7) Have authority to provide temporary shelter to children who
35 have run away from home and who are admitted to crisis residential
36 centers.

37 (8) Have authority to purchase care for children; and shall follow
38 in general the policy of using properly approved private agency
39 services for the actual care and supervision of such children insofar

1 as they are available, paying for care of such children as are accepted
2 by the department as eligible for support at reasonable rates
3 established by the department.

4 (9) Establish a children's services advisory committee which shall
5 assist the secretary in the development of a partnership plan for
6 utilizing resources of the public and private sectors, and advise on
7 all matters pertaining to child welfare, licensing of child care
8 agencies, adoption, and services related thereto. At least one member
9 shall represent the adoption community.

10 (10) Have authority to provide continued foster care or group care
11 for individuals from eighteen through twenty years of age to enable
12 them to complete their high school or vocational school program.

13 (11) Have authority within funds appropriated for foster care
14 services to purchase care for Indian children who are in the custody of
15 a federally recognized Indian tribe or tribally licensed child-placing
16 agency pursuant to parental consent, tribal court order, or state
17 juvenile court order; and the purchase of such care shall be subject to
18 the same eligibility standards and rates of support applicable to other
19 children for whom the department purchases care.

20 Notwithstanding any other provision of RCW 13.32A.170 through
21 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
22 services to be provided by the department of social and health services
23 under subsections (4), (6), and (7) of this section, subject to the
24 limitations of these subsections, may be provided by any program
25 offering such services funded pursuant to Titles II and III of the
26 federal juvenile justice and delinquency prevention act of 1974.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.63A RCW
28 to read as follows:

29 (1) In order to improve services for the homeless, the department,
30 with funds appropriated by the legislature for this purpose, shall
31 implement a system for collecting and analyzing data about the
32 homeless, giving emphasis to information about homeless families with
33 children. The system may be merged with other data-gathering and
34 reporting systems and shall:

35 (a) Protect the rights of privacy of individuals;

36 (b) Provide for consultation and collaboration with state agencies
37 including the department of social and health services, experts, and
38 others; and

1 (c) Include related information held or gathered by other state
2 agencies.

3 (2) To the extent the legislature appropriates funds, the
4 department shall evaluate the information gathered, and disseminate the
5 analysis and the evaluation broadly, using appropriate computer
6 networks as well as written reports.

7 (3) The 1998 plan for homeless families with children may be
8 updated or amended based on the evaluation of the information.

9 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.63A RCW
10 to read as follows:

11 The department shall, by rule, establish program standards,
12 eligibility criteria, and administrative rules for emergency housing
13 programs and specify other benefits, which may arise in consultation
14 with providers.

15 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and takes effect
18 immediately.

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