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SENATE BILL 6474

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State of Washington

56th Legislature

2000 Regular Session

By Senators Hargrove, McCaslin, Long, Costa, Sheahan, Patterson, Kline, Winsley, Haugen, Franklin and Gardner

Read first time 01/17/2000. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to improving foster care services and the foster  
2 care rate structure; adding new sections to chapter 43.20A RCW; adding  
3 new sections to chapter 74.13 RCW; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20A RCW  
6 to read as follows:

7 The legislature finds that foster care issues continue from year to  
8 year without resolution. In addition, caseloads have grown, which  
9 impairs the capacity of caseworkers to provide efficient and effective  
10 services. The legislature finds that relationships with foster  
11 parents, biological parents, providers, and the children have suffered  
12 as a result. Therefore, it is the legislature's intent to begin to  
13 alleviate some of these problems by encouraging the department to  
14 evaluate its criteria for delivery of services and selection of  
15 vendors. It is not the legislature's intent to supplant state jobs in  
16 doing so but rather to improve the quality of services and service  
17 delivery.

1        NEW SECTION.    **Sec. 2.** A new section is added to chapter 43.20A RCW  
2 to read as follows:

3        Consistent with chapter 41.06 RCW, the secretary of the department  
4 shall emphasize the purchase of child welfare services from licensed  
5 child-placing agencies or other entities as permitted under chapter  
6 41.06 RCW.

7        NEW SECTION.    **Sec. 3.** A new section is added to chapter 43.20A RCW  
8 to read as follows:

9        (1) The department shall use the following criteria to determine  
10 which cases will be managed by licensed child-placing agencies:

11        (a)(i) The child has been in out-of-home care for a minimum of  
12 ninety consecutive days; and

13        (ii) The child's permanent plan is adoption or the child is, at the  
14 time of transfer, legally free; or

15        (b) The child is medically fragile.

16        (2) In making decisions about which cases to be managed under this  
17 section, the department shall: (a) Not place only the most difficult  
18 or severely challenged children with the child-placing agencies but  
19 shall choose a mixture of children with varying needs; (b) retain legal  
20 custody of the children transferred; (c) make every effort to continue  
21 receiving federal funding in the cases to be managed by licensed child-  
22 placing agencies; and (d) consider regional flexibility in the cases  
23 managed by child-placing agencies.

24        NEW SECTION.    **Sec. 4.** A new section is added to chapter 74.13 RCW  
25 to read as follows:

26        (1) For purposes of this section, "specialized rate for family  
27 foster care" means amounts paid by the department to foster families in  
28 addition to the basic foster care rate.

29        (2) The department shall discontinue payment of the specialized  
30 rate for family foster care.

31        NEW SECTION.    **Sec. 5.** A new section is added to chapter 74.13 RCW  
32 to read as follows:

33        (1) For purposes of this section, "exceptional cost plans" means  
34 funds to reimburse foster parents for unusual, highly demanding  
35 activities or supervision for children with severe impairments or acute  
36 emotional or behavioral problems.

1 (2) The department is authorized to pay for exceptional cost plans  
2 as provided in this act.

3 (3) The department shall create the following levels of exceptional  
4 cost plans:

5 (a) Level I, for which the maximum monthly reimbursement shall be  
6 two thousand dollars.

7 (b) Level II, for which the maximum monthly reimbursement shall be  
8 seven hundred fifty dollars.

9 (4) The criteria for reimbursement of foster parents at the level  
10 I range are:

11 (a) Respite or child care as a substitute for or to assist the  
12 foster parent in caring for the child is required;

13 (b) The foster child requires a special diet;

14 (c) The foster child requires mental health treatment beyond that  
15 reimbursed under level I;

16 (d) The foster child requires special equipment or furniture; or

17 (e) Additional reimbursement to the foster parent is necessary for  
18 the maintenance or special supervision of the foster child.

19 (5) The criteria for reimbursement of foster parents at the level  
20 II range are:

21 (a) The foster child requires special classes, lessons, or social  
22 activities not related to physical care or supervision;

23 (b) The foster child requires minimal mental health therapy; or

24 (c) The foster child requires special therapeutic interventions by  
25 the foster parent.

26 (6) Notwithstanding the provisions of subsections (4) and (5) of  
27 this section, only when authorized by the regional administrator,  
28 foster parents may receive payments in excess of those authorized in  
29 subsection (4) of this section under the following criteria:

30 (a) The foster child is severely medically fragile as defined by  
31 the department in rule;

32 (b) The foster child requires extraordinary twenty-four hour  
33 supervision;

34 (c) The foster child has severe emotional or physical disabilities;  
35 or

36 (d) The foster child has an extensive history of inpatient mental  
37 health or substance abuse treatment.

38 (7) No regional administrator may delegate to any subordinate the  
39 authority to authorize an exception granted under subsection (6) of

1 this section. In the absence, or disability, of a regional  
2 administrator, the assistant secretary shall determine whether an  
3 exception shall be granted.

4 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.13 RCW  
5 to read as follows:

6 The department shall develop a training curriculum for foster  
7 parents by which foster parents receiving level I or II exceptional  
8 cost plan reimbursement or an exceptional amount in addition to those  
9 levels as provided in section 5 of this act are required to complete a  
10 certain number of hours of training on an annual basis to continue  
11 receiving the higher rates of reimbursement. The training required of  
12 each foster parent shall be directly related to the specific special  
13 needs of the foster child or children for whom the foster parent  
14 provides care. The annual amount of training required shall be  
15 determined by the department in rule.

16 NEW SECTION. **Sec. 7.** This act takes effect July 1, 2000.

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