

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1259**

Chapter 192, Laws of 2001

57th Legislature  
2001 Regular Legislative Session

FOSTER CARE--INDEPENDENT LIVING SERVICES

EFFECTIVE DATE: 7/22/01

Passed by the House April 16, 2001  
Yeas 90 Nays 0

FRANK CHOPP  
**Speaker of the House of Representatives**

CLYDE BALLARD  
**Speaker of the House of Representatives**

Passed by the Senate April 5, 2001  
Yeas 48 Nays 0

BRAD OWEN  
**President of the Senate**

Approved May 7, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1259** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER  
**Chief Clerk**

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

May 7, 2001 - 1:34 p.m.

**Secretary of State  
State of Washington**

---

**SUBSTITUTE HOUSE BILL 1259**

---

AS AMENDED BY THE SENATE

Passed Legislature - 2001 Regular Session

**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Tokuda, Boldt, Kagi, Schual-Berke, Kenney, Lambert and Edwards; by request of Department of Social and Health Services)

Read first time . Referred to Committee on .

1       AN ACT Relating to providing services for persons through twenty  
2 years of age, who are or who have been in foster care; amending RCW  
3 74.13.031; and adding a new section to chapter 74.13 RCW.

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

5       **Sec. 1.** RCW 74.13.031 and 1999 c 267 s 8 are each amended to read  
6 as follows:

7       The department shall have the duty to provide child welfare  
8 services and shall:

9       (1) Develop, administer, supervise, and monitor a coordinated and  
10 comprehensive plan that establishes, aids, and strengthens services for  
11 the protection and care of runaway, dependent, or neglected children.

12       (2) Within available resources, recruit an adequate number of  
13 prospective adoptive and foster homes, both regular and specialized,  
14 i.e. homes for children of ethnic minority, including Indian homes for  
15 Indian children, sibling groups, handicapped and emotionally disturbed,  
16 teens, pregnant and parenting teens, and annually report to the  
17 governor and the legislature concerning the department's success in:  
18 (a) Meeting the need for adoptive and foster home placements; (b)  
19 reducing the foster parent turnover rate; (c) completing home studies

1 for legally free children; and (d) implementing and operating the  
2 passport program required by RCW 74.13.285. The report shall include  
3 a section entitled "Foster Home Turn-Over, Causes and Recommendations."

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

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

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

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

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

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

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

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

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

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

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

28 (12) Within amounts appropriated for this specific purpose, provide  
29 preventive services to families with children that prevent or shorten  
30 the duration of an out-of-home placement.

31 (13) Have authority to provide independent living services to  
32 youths, including individuals eighteen through twenty years of age, who  
33 are or have been in foster care.

34 NEW SECTION. Sec. 2. A new section is added to chapter 74.13 RCW  
35 to read as follows:

36 Independent living services include assistance in achieving basic  
37 educational requirements such as a GED, enrollment in vocational and  
38 technical training programs offered at the community and vocational

1 colleges, and obtaining and maintaining employment; and accomplishing  
2 basic life skills such as money management, nutrition, preparing meals,  
3 and cleaning house. A baseline skill level in ability to function  
4 productively and independently shall be determined at entry.  
5 Performance shall be measured and must demonstrate improvement from  
6 involvement in the program. Each recipient shall have a plan for  
7 achieving independent living skills by the time the recipient reaches  
8 age twenty-one. The plan shall be written within the first thirty days  
9 of placement and reviewed every ninety days. A recipient who fails to  
10 consistently adhere to the elements of the plan shall be subject to  
11 reassessment by the professional staff of the program and may be  
12 declared ineligible to receive services.

Passed the House April 16, 2001.

Passed the Senate April 5, 2001.

Approved by the Governor May 7, 2001.

Filed in Office of Secretary of State May 7, 2001.