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**SUBSTITUTE HOUSE BILL 3039**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Children & Family Services (originally sponsored by Representatives Delvin, Boldt, Kagi and Kenney)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to evaluation for identification of long-term needs  
2 of children entering the foster care system; and amending RCW  
3 74.14A.050.

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

5 **Sec. 1.** RCW 74.14A.050 and 2003 c 207 s 9 are each amended to read  
6 as follows:

7 The secretary shall:

8 (1)(a) Consult with relevant qualified professionals to develop a  
9 set of minimum guidelines to be used for identifying all children who  
10 are in a state-assisted support system, whether at-home or out-of-home,  
11 who are likely to need long-term care or assistance, because they face  
12 physical, emotional, medical, mental, or other long-term challenges;

13 (b) The guidelines must, at a minimum, consider the following  
14 criteria for identifying children in need of long-term care or  
15 assistance:

16 (i) Placement within the foster care system for two years or more;

17 (ii) Multiple foster care placements;

18 (iii) Repeated unsuccessful efforts to be placed with a permanent  
19 adoptive family;

1 (iv) Chronic behavioral or educational problems;  
2 (v) Repetitive criminal acts or offenses;  
3 (vi) Failure to comply with court-ordered disciplinary actions and  
4 other imposed guidelines of behavior, including drug and alcohol  
5 rehabilitation; and

6 (vii) Chronic physical, emotional, medical, mental, or other  
7 similar conditions necessitating long-term care or assistance;

8 (2) Develop programs that are necessary for the long-term care of  
9 children and youth that are identified for the purposes of this  
10 section. Programs must: (a) Effectively address the educational,  
11 physical, emotional, mental, and medical needs of children and youth;  
12 and (b) incorporate an array of family support options, to individual  
13 needs and choices of the child and family. The programs must be ready  
14 for implementation by January 1, 1995;

15 (3) Conduct an evaluation of all children currently within the  
16 foster care agency caseload to identify those children who meet the  
17 criteria set forth in this section. All children entering the foster  
18 care system must be evaluated for identification of long-term needs  
19 within thirty days of placement, with the exception of evaluation of  
20 medical and educational needs, which must be conducted within forty-  
21 five days of placement;

22 (4) As a result of the passage of chapter 232, Laws of 2000, the  
23 department is conducting a pilot project to do a comparative analysis  
24 of a variety of assessment instruments to determine the most effective  
25 tools and methods for evaluation of children. The pilot project may  
26 extend through August 31, 2001. The department shall report to the  
27 appropriate committees in the senate and house of representatives by  
28 September 30, 2001, on the results of the pilot project. The  
29 department shall select an assessment instrument that can be  
30 implemented within available resources. The department shall complete  
31 statewide implementation by December 31, 2001. The department shall  
32 report to the appropriate committees in the senate and house of  
33 representatives on how the use of the selected assessment instrument  
34 has affected department policies, by no later than December 31, 2002,  
35 December 31, 2004, and December 31, 2006;

36 (5) Use the assessment tool developed pursuant to subsection (4) of  
37 this section in making out-of-home placement decisions for children;

1 (6) Each region of the department shall make the appropriate number  
2 of referrals to the foster care assessment program to ensure that the  
3 services offered by the program are used to the extent funded pursuant  
4 to the department's contract with the program. The department shall  
5 report to the legislature by November 30, 2000, on the number of  
6 referrals, by region, to the foster care assessment program. If the  
7 regions are not referring an adequate number of cases to the program,  
8 the department shall include in its report an explanation of what  
9 action it is or has taken to ensure that the referrals are adequate;

10 (7) The department shall report to the legislature by December 15,  
11 2000, on how it will use the foster care assessment program model to  
12 assess children as they enter out-of-home care;

13 (8) The department is to accomplish the tasks listed in subsections  
14 (4) through (7) of this section within existing resources;

15 (9) Study and develop a comprehensive plan for the evaluation and  
16 identification of all children and youth in need of long-term care or  
17 assistance, including, but not limited to, the mentally ill,  
18 developmentally disabled, medically fragile, seriously emotionally or  
19 behaviorally disabled, and physically impaired;

20 (10) Study and develop a plan for the children and youth in need of  
21 long-term care or assistance to ensure the coordination of services  
22 between the department's divisions and between other state agencies who  
23 are involved with the child or youth;

24 (11) Study and develop guidelines for transitional services,  
25 between long-term care programs, based on the person's age or mental,  
26 physical, emotional, or medical condition; and

27 (12) Study and develop a statutory proposal for the emancipation of  
28 minors.

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