
HOUSE BILL 3152

State of Washington

59th Legislature

2006 Regular Session

By Representatives Kagi, Walsh, Roberts, Haler and Dickerson

Read first time 01/23/2006. Referred to Committee on Children & Family Services.

1 AN ACT Relating to establishing the family assessment response
2 demonstration program; adding a new chapter to Title 74 RCW; creating
3 a new section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that there is
6 significant variation in the levels of risk presented by child abuse
7 and neglect referrals. The legislature also recognizes that in high-
8 risk emergent cases there must be an immediate response and thorough
9 investigation of allegations. The legislature finds, however, that in
10 cases presenting a low-risk of child endangerment, families may be
11 better served through a more positive response that focuses less on
12 investigating specific allegations and more on assessing the family's
13 need for assistance and engaging the family in services to prevent
14 future maltreatment. The legislature intends to establish an
15 alternative, flexible approach to responding to allegations of child
16 maltreatment in low-risk families who do not present immediate child
17 safety concerns. This differential response is intended to reduce
18 disruption to families and improve child safety by assessing a family's

1 needs, engaging the family's protective capacities, and providing
2 appropriate services to prevent future maltreatment.

3 NEW SECTION. **Sec. 2.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires otherwise.

5 (1) "Family assessment" means a comprehensive assessment of child
6 safety, risk of subsequent child maltreatment, and family strengths and
7 needs based on available and relevant information.

8 (2) "Family assessment worker" means a social worker whose role is
9 to engage families for the purposes of conducting family assessments,
10 developing plans for services appropriate to reduce child safety risks,
11 and supporting the family's efforts to meet its needs.

12 (3) "Demonstration site" means a defined area or a specific child
13 welfare office within one of the six service delivery regions of
14 children's administration selected by the department under section 3 of
15 this act.

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

18 NEW SECTION. **Sec. 3.** The department shall select one or more
19 demonstration sites for implementation of the family assessment
20 response demonstration program as described in section 4 of this act.
21 Selection of sites should, to the extent feasible, reflect the
22 geographic and demographic diversity of the state. Implementation of
23 the family assessment response shall incorporate evidence-based
24 practice and best practices for addressing allegations of child
25 maltreatment in low-risk families by focusing on the family's
26 situation, problems, and needs rather than on conducting a traditional
27 investigation of allegations.

28 NEW SECTION. **Sec. 4.** (1) The family assessment response
29 demonstration program shall be implemented as follows:

30 (a) Upon receipt of a report alleging child abuse or neglect, the
31 department shall determine whether to conduct a family assessment or an
32 investigation. A family assessment completed by a family assessment
33 social worker shall be the preferred response when responding to
34 reports of child maltreatment not alleging substantial endangerment and
35 determined by the department to be nonemergent. In determining whether

1 a family assessment is appropriate, the department shall consider
2 issues of child safety, parental cooperation, and the need for an
3 immediate response;

4 (b) For those cases determined to be nonemergent, within seventy-
5 two hours, the family assessment worker must conduct a face-to-face
6 contact with the child about whom a referral was made and with the
7 child's primary caregiver. Face-to-face contact with the child must be
8 sufficient to assess the immediate safety of the child. The primary
9 purpose of this contact is to (i) assess the immediate safety of the
10 child; (ii) determine immediate support needs; and (iii) engage the
11 family in addressing concerns regarding the safety and health of the
12 child;

13 (c) A full family assessment must be completed within thirty days
14 of receipt of the report;

15 (d) Upon completion of the assessment, the family assessment worker
16 must determine what services are needed to address the safety of the
17 child and other family members and the risk of child maltreatment;

18 (e) Within ten days of the completion of the assessment, the family
19 assessment worker must notify the parent or guardian of the child
20 regarding the availability of services to address child safety
21 concerns. The family assessment worker and the family may jointly
22 agree to services, however the department may seek court intervention
23 to order services if the family refuses to engage and complete
24 services;

25 (f) At the conclusion of a case in which services were offered, the
26 department shall document the outcome of the family assessment
27 response, including a description of services provided and the removal
28 or the reduction of risk to the child, if any; and

29 (g) Records of family assessment cases must be maintained for a
30 period of not less than seven years and shall be used to assist in any
31 future risk and safety assessments.

32 (2) The department shall begin an immediate investigation if, at
33 any time while using the family assessment response, there is reason to
34 believe that a serious threat to the child's safety exists or the
35 department determines the case is emergent. If an investigation is
36 started, the department may later elect to conduct a family assessment
37 if the department determines that a complete investigation is not
38 required. If such a determination is made, the department must

1 document the reason or reasons for terminating the investigation and
2 notify any local law enforcement agency that is conducting a joint
3 investigation.

4 (3) The following shall serve as guidelines for the family
5 assessment response model and the department shall, to the extent
6 resources are available, provide training and resources to assist
7 family assessment workers in implementing these guidelines intended to
8 minimize confrontation, enhance cooperation, and enhance the family's
9 ability to take care of itself:

10 (a) Contacts with families should focus on their situation,
11 problems, and needs in a manner that is positive and
12 nonconfrontational, supportive of family stability, and strengths-based
13 and safety-focused;

14 (b) Beginning with the first visit whenever possible, meetings
15 should be with the family as a unit, including parents, children, and
16 other family members;

17 (c) Unless doing so would compromise the safety assessment, it is
18 the preferred practice to request permission to interview a child prior
19 to conducting the interview;

20 (d) Family members should be involved in problem solving and
21 decisions about how to address their needs consistent with the safety
22 needs of the children;

23 (e) When possible, services and assistance should fit the broader
24 needs and situation of the family by linking the family to other
25 community resources and supports;

26 (f) Unless an investigation is started, the primary focus of the
27 family assessment response should be to help the family identify and
28 access the services and resources necessary to reduce child safety
29 risks and enhance family and child well-being;

30 (g) If it is determined an investigation should be started after a
31 family assessment is initiated, the family assessment worker should
32 refer the case to a child protective services social worker for the
33 investigation.

34 NEW SECTION. **Sec. 5.** The Washington state institute for public
35 policy shall study the family assessment response demonstration program
36 and report to the legislature by January 31, 2009. In consultation
37 with the department, the institute shall define the data to be gathered

1 and maintained for the purpose of the study. At a minimum, the study
2 must review child safety outcomes and rereferrals to child protective
3 services.

4 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act expire
5 January 31, 2009.

6 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act constitute
7 a new chapter in Title 74 RCW.

8 NEW SECTION. **Sec. 8.** If specific funding for the purposes of this
9 act, referencing this act by bill or chapter number, is not provided by
10 June 30, 2006, in the omnibus appropriations act, this act is null and
11 void.

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