

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 3145

60th Legislature
2008 Regular Session

Passed by the House March 13, 2008
Yeas 96 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 12, 2008
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 3145** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 3145

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

State of Washington **60th Legislature** **2008 Regular Session**

By House Appropriations (originally sponsored by Representatives Kagi, Haler, Roberts, Walsh, Pettigrew, Dickerson, Conway, Green, Goodman, Kenney, Wood, and Ormsby)

READ FIRST TIME 02/14/08.

1 AN ACT Relating to implementing a program of tiered classification
2 for foster parent licensing; adding new sections to chapter 74.13 RCW;
3 and creating new sections.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
6 to read as follows:

7 The legislature finds that out-of-home care providers are an
8 essential partner in the child welfare system, with responsibility for
9 the care of vulnerable children whose families are unable to meet their
10 needs. Because children who enter the out-of-home care system have
11 experienced varying degrees of stress and trauma before placement,
12 providers sometimes are called upon to provide care for children with
13 significant behavioral challenges and intensive developmental needs.
14 Other children who enter out-of-home care may require extraordinary
15 care due to health care needs or medical fragility. The legislature
16 also finds that providers with specialized skills and experience, or
17 professional training and expertise, can contribute significantly to a
18 child's well-being by promoting placement stability and supporting the
19 child's developmental growth while in out-of-home care. The

1 legislature intends to implement an intensive resource home pilot to
2 enhance the continuum of care options and to promote permanency and
3 positive outcomes for children served in the child welfare system by
4 authorizing the department to contract for intensive resource home
5 services on a pilot basis.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
7 to read as follows:

8 (1) The department shall select two geographic areas with high
9 concentrations of children with significant needs in out-of-home care
10 for implementing an intensive resource home pilot. In choosing the
11 pilot sites, the department shall: (a) Examine areas where there are
12 concentrations of children with significant behavioral challenges and
13 intensive developmental or medical needs who are being served in family
14 foster homes; (b) consider sites of appropriate size that will allow
15 for careful analysis of the impact of the intensive resource home pilot
16 on the array of out-of-home care providers, including providers of
17 behavioral rehabilitation services; and (c) determine the number of
18 children to be served in these selected sites. Implementation of the
19 program at the pilot sites also shall be structured to support the
20 long-term goal of eventual expansion of the pilot statewide.

21 (2) Based on the information gathered by the work group convened
22 under chapter 413, Laws of 2007, and the additional information
23 gathered pursuant to this section, the department shall work
24 collaboratively in:

25 (a) Seeking recommendations from foster parents and other out-of-
26 home service providers, including child placing agencies, regarding the
27 qualifications and requirements of intensive resource home providers,
28 the needs of the children to be served, and the desired outcomes to be
29 measured or monitored at the respective pilot sites; and

30 (b) Consulting with experts in child welfare, children's mental
31 health, and children's health care to identify the evidence-based or
32 promising practice models to be employed in the pilot and the
33 appropriate supports to ensure program fidelity, including, but not
34 limited to, the necessary training and clinical consultation and
35 oversight to be provided to intensive resource homes.

36 (3) Using the recommendations from foster parents, the
37 consultations with professionals as required in subsection (2)(a) and

1 (b) of this section, and the information provided in the report to the
2 legislature under chapter 413, Laws of 2007, including the information
3 presented to the work group convened to prepare and present the report,
4 the department shall implement the pilot by entering into contracts
5 with no more than seventy-five providers who are determined by the
6 department to meet the eligibility criteria for the intensive resource
7 home pilot. The department shall:

8 (a) Define the criteria for intensive resource home providers,
9 which shall include a requirement that the provider be licensed by the
10 department as a foster parent, as well as meet additional requirements
11 relating to relevant experience, education, training, and professional
12 expertise necessary to meet the high needs of children identified as
13 eligible for this pilot;

14 (b) Define criteria for identifying children with high needs who
15 may be eligible for placement with an intensive resource home provider.
16 Such criteria shall be based on the best interests of the child and
17 include an assessment of the child's past and current level of
18 functioning as well as a determination that the child's treatment plan
19 and developmental needs are consistent with the placement plan;

20 (c) Establish a policy for placement of children with high needs in
21 intensive resource homes, including a process for matching the child's
22 needs with the provider's skills and expertise;

23 (d) Establish a limit on the number and ages of children with high
24 needs that may be placed in an intensive resource home pursuant to the
25 pilot contract. Such limitation shall recognize that children with
26 externalizing behaviors are most likely to experience long-term
27 improvements in their behavior when care is provided in settings that
28 minimize exposure to peers with challenging behaviors;

29 (e) Identify one or more approved models of skill building for use
30 by intensive resource home providers, with the assistance of other
31 child welfare experts;

32 (f) Specify the training and consultation requirements that support
33 the models of service;

34 (g) Establish a system of supports, including clinical consultation
35 and oversight for intensive resource homes;

36 (h) Develop a tiered payment system, by September 30, 2008, which
37 may include a stipend to the provider, which takes into account the
38 additional responsibilities intensive resource home providers have with

1 regard to the children placed in their care. Until such time as the
2 department has developed the tiered payment system, money for
3 exceptional cost plans shall be used only for special services or
4 supplies provided to the child and shall not be used to reimburse the
5 provider for services he or she provides to the child. A stipend of
6 not more than five hundred dollars per month may be used to reimburse
7 the provider for services he or she provides directly to the child;

8 (i) Establish clearly defined responsibilities of intensive
9 resource home providers, who have an intensive resource home contract
10 including responsibilities to promote permanency and connections with
11 birth parents; and

12 (j) Develop a process for annual performance reviews of intensive
13 resource home providers.

14 (4) Contracts between the department and an intensive resource home
15 provider shall include a statement of work focusing on achieving
16 stability in placement and measuring improved permanency outcomes and
17 shall specify at least the following elements:

18 (a) The model of treatment and care to be provided;

19 (b) The training and ongoing professional consultation to be
20 provided;

21 (c) The method for determining any additional supports to be
22 provided to an eligible child or the intensive resource home provider;

23 (d) The desired outcomes to be measured;

24 (e) A reasonable and efficient process for seeking a modification
25 of the contract;

26 (f) The rate and terms of payment under the contract; and

27 (g) The term of the contract and the processes for an annual
28 performance review of the intensive resource home provider and an
29 annual assessment of the child.

30 (5) Beginning on or before October 1, 2008, the department shall
31 begin the selection of, and negotiation of contracts with, intensive
32 resource home providers in the selected pilot sites.

33 (6) Nothing in this act gives a provider eligible under this
34 section the right to a contract under the intensive resource home
35 pilot, and nothing in this act gives a provider that has a contract
36 under the pilot a right to have a child or children placed in the home
37 pursuant to the contract.

1 (7) "Intensive resource home provider" means a provider who meets
2 the eligibility criteria developed by the department under this section
3 and who has an intensive resource home pilot contract with the
4 department.

5 (8) The department shall report to the governor and the legislature
6 by January 30, 2009, on the implementation of the pilot, including how
7 the pilot fits within the continuum of out-of-home care options. Based
8 on the experiences and lessons learned from implementation of the
9 pilot, the department shall recommend a process and timeline for
10 expanding the pilot and implementing it statewide. The department
11 shall report to the governor and the appropriate members of the
12 legislature by September 1, 2009, on the expansion, and shall identify
13 the essential elements of the intensive resource home pilot that should
14 be addressed or replicated if the pilot is expanded.

15 (9) The department shall operate this pilot using only funds
16 appropriated specifically for the operation of this pilot. The term
17 "specifically for the operation of this pilot" includes only those
18 costs associated with the following: The administration of the pilot,
19 the stipend to eligible intensive resource home providers, training for
20 the providers, consultation for the providers, and program review
21 consultation.

22 NEW SECTION. **Sec. 3.** If any part of this act is found to be in
23 conflict with federal requirements that are a prescribed condition of
24 federal funds which support the operations and services provided by the
25 department of social and health services, the conflicting part of this
26 act is inoperative solely to the extent of the conflict and with
27 respect to the agencies directly affected, and this finding does not
28 affect the operation of the remainder of this act in its application to
29 the agencies concerned. Rules adopted under this act must meet federal
30 requirements that are a necessary condition to the receipt of federal
31 funds by the state.

32 NEW SECTION. **Sec. 4.** Of the amounts appropriated in the omnibus
33 appropriations act of 2008 for implementation of this act, referencing
34 this act by bill or chapter number, the department shall allocate two
35 hundred thousand dollars to contract with an agency which is working in
36 partnership with, and has been evaluated by, the University of

1 Washington school of social work to implement promising practice
2 constellation hub models of foster care support in areas of the state
3 not currently served by this model, unless otherwise specified in the
4 omnibus appropriations act of 2008.

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