

**E2SHB 1965 - S AMD 463**

By Senators Regala, Carrell

ADOPTED 05/22/2011

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that adverse  
4 childhood experiences are a powerful common determinant of a child's  
5 ability to be successful at school and, as an adult, to be successful  
6 at work, to avoid behavioral and chronic physical health conditions,  
7 and to build healthy relationships. The purpose of this chapter is to  
8 identify the primary causes of adverse childhood experiences in  
9 communities and to mobilize broad public and private support to prevent  
10 harm to young children and reduce the accumulated harm of adverse  
11 experiences throughout childhood. A focused effort is needed to: (1)  
12 Identify and promote the use of innovative strategies based on  
13 evidence-based and research-based approaches and practices; and (2)  
14 align public and private policies and funding with approaches and  
15 strategies which have demonstrated effectiveness.

16 The legislature recognizes that many community public health and  
17 safety networks across the state have knowledge and expertise regarding  
18 the reduction of adverse childhood experiences and can provide  
19 leadership on this initiative in their communities. In addition, a  
20 broad range of community coalitions involved with early learning, child  
21 abuse prevention, and community mobilization have coalesced in many  
22 communities. The adverse childhood experiences initiative should  
23 coordinate and assemble the strongest components of these networks and  
24 coalitions to effectively respond to the challenge of reducing and  
25 preventing adverse childhood experiences while providing flexibility  
26 for communities to design responses that are appropriate for their  
27 community.

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

1 (1) "Adverse childhood experiences" means the following indicators  
2 of severe childhood stressors and family dysfunction that, when  
3 experienced in the first eighteen years of life and taken together, are  
4 proven by public health research to be powerful determinants of  
5 physical, mental, social, and behavioral health across the lifespan:  
6 Child physical abuse; child sexual abuse; child emotional abuse; child  
7 emotional or physical neglect; alcohol or other substance abuse in the  
8 home; mental illness, depression, or suicidal behaviors in the home;  
9 incarceration of a family member; witnessing intimate partner violence;  
10 and parental divorce or separation. Adverse childhood experiences have  
11 been demonstrated to affect the development of the brain and other  
12 major body systems.

13 (2) "Community public health and safety networks" or "networks"  
14 means the organizations authorized under RCW 70.190.060.

15 (3) "Department" means the department of social and health  
16 services.

17 (4) "Director" means the director of the department of early  
18 learning.

19 (5) "Evidence-based" has the same meaning as in RCW 43.215.146.

20 (6) "Research-based" has the same meaning as in RCW 43.215.146.

21 (7) "Secretary" means the secretary of social and health services.

22 NEW SECTION. **Sec. 3.** (1)(a) The secretary of the department of  
23 social and health services and the director of the department of early  
24 learning shall actively participate in the development of a  
25 nongovernmental private-public initiative focused on coordinating  
26 government and philanthropic organizations' investments in the positive  
27 development of children and preventing and mitigating the effects of  
28 adverse childhood experiences. The secretary and director shall  
29 convene a planning group to work with interested private partners to:  
30 (i) Develop a process by which the goals identified in section 1 of  
31 this act shall be met; and (ii) develop recommendations for inclusive  
32 and diverse governance to advance the adverse childhood experiences  
33 initiative.

34 (b) The secretary and director shall select no more than twelve to  
35 fifteen persons as members of the planning group. The members selected  
36 must represent a diversity of interests including: Early learning  
37 coalitions, community public health and safety networks, organizations

1 that work to prevent and address child abuse and neglect, tribes,  
2 representatives of public agency agencies involved with interventions  
3 in or prevention of adverse childhood experiences, philanthropic  
4 organizations, and organizations focused on community mobilization.

5 (c) The secretary and director shall cochair the planning group  
6 meetings and shall convene the first meeting.

7 (2) The planning group shall submit a report on its progress and  
8 recommendations to the appropriate legislative committees no later than  
9 December 15, 2011.

10 (3) In addition to other powers granted to the secretary, the  
11 secretary may:

12 (a) Enter into contracts on behalf of the department to carry out  
13 the purposes of this chapter;

14 (b) Provide funding to communities or any governance entity that is  
15 created as a result of the partnership; and

16 (c) Accept gifts, grants, or other funds for the purposes of this  
17 chapter.

18 **Sec. 4.** RCW 13.40.462 and 2006 c 304 s 2 are each amended to read  
19 as follows:

20 (1) The department of social and health services juvenile  
21 rehabilitation administration shall establish a reinvesting in youth  
22 program that awards grants to counties for implementing research-based  
23 early intervention services that target juvenile justice-involved youth  
24 and reduce crime, subject to the availability of amounts appropriated  
25 for this specific purpose.

26 (2) Effective July 1, 2007, any county or group of counties may  
27 apply for participation in the reinvesting in youth program.

28 (3) Counties that participate in the reinvesting in youth program  
29 shall have a portion of their costs of serving youth through the  
30 research-based intervention service models paid for with moneys from  
31 the reinvesting in youth account established pursuant to RCW 13.40.466.

32 (4) The department of social and health services juvenile  
33 rehabilitation administration shall review county applications for  
34 funding through the reinvesting in youth program and shall select the  
35 counties that will be awarded grants with funds appropriated to  
36 implement this program. The department, in consultation with the  
37 Washington state institute for public policy, shall develop guidelines

1 to determine which counties will be awarded funding in accordance with  
2 the reinvesting in youth program. At a minimum, counties must meet the  
3 following criteria in order to participate in the reinvesting in youth  
4 program:

5 (a) Counties must match state moneys awarded for research-based  
6 early intervention services with nonstate resources that are at least  
7 proportional to the expected local government share of state and local  
8 government cost avoidance that would result from the implementation of  
9 such services;

10 (b) Counties must demonstrate that state funds allocated pursuant  
11 to this section are used only for the intervention service models  
12 authorized pursuant to RCW 13.40.464;

13 (c) Counties must participate fully in the state quality assurance  
14 program established in RCW 13.40.468 to ensure fidelity of program  
15 implementation. If no state quality assurance program is in effect for  
16 a particular selected research-based service, the county must submit a  
17 quality assurance plan for state approval with its grant application.  
18 Failure to demonstrate continuing compliance with quality assurance  
19 plans shall be grounds for termination of state funding; and

20 (d) Counties that submit joint applications must submit for  
21 approval by the department of social and health services juvenile  
22 rehabilitation administration multicounty plans for efficient program  
23 delivery.

24 ~~((5) The department of social and health services juvenile  
25 rehabilitation administration shall convene a technical advisory  
26 committee comprised of representatives from the house of  
27 representatives, the senate, the governor's office of financial  
28 management, the department of social and health services juvenile  
29 rehabilitation administration, the family policy council, the juvenile  
30 court administrator's association, and the Washington association of  
31 counties to assist in the implementation of chapter 304, Laws of  
32 2006.))~~

33 **Sec. 5.** RCW 43.121.100 and 2011 c 171 s 9 are each amended to read  
34 as follows:

35 ~~((The council may accept))~~ Contributions, grants, or gifts in cash  
36 or otherwise, including funds generated by the sale of "heirloom" birth  
37 certificates under chapter 70.58 RCW from persons, associations, or

1 corporations and funds generated through the issuance of the "Keep Kids  
2 Safe" license plate under chapter 46.18 RCW(~~(. All moneys received by~~  
3 ~~the council or any employee thereof from contributions, grants, or~~  
4 ~~gifts and not through appropriation by the legislature))), shall be  
5 deposited in a depository approved by the state treasurer to be known  
6 as the children's trust fund. Disbursements of such funds shall be on  
7 the authorization of the (~~council or a duly authorized representative~~  
8 ~~thereof and only for the purposes stated in RCW 43.121.050)) director  
9 of the department of early learning beginning July 1, 2012. In order  
10 to maintain an effective expenditure and revenue control, such funds  
11 shall be subject in all respects to chapter 43.88 RCW, but no  
12 appropriation shall be required to permit expenditure of such funds.~~~~

13 **Sec. 6.** RCW 43.215.146 and 2007 c 466 s 2 are each amended to read  
14 as follows:

15 The definitions in this section apply throughout this section and  
16 RCW (~~(43.121.170 through)~~) 43.215.145, 43.215.147, and 43.121.185  
17 unless the context clearly requires otherwise.

18 (1) "Evidence-based" means a program or practice that has had  
19 multiple site random controlled trials across heterogeneous populations  
20 demonstrating that the program or practice is effective for the  
21 population.

22 (2) "Home visitation" means providing services in the permanent or  
23 temporary residence, or in other familiar surroundings, of the family  
24 receiving such services.

25 (3) "Research-based" means a program or practice that has some  
26 research demonstrating effectiveness, but that does not yet meet the  
27 standard of evidence-based practices.

28 **Sec. 7.** RCW 43.215.147 and 2008 c 152 s 6 are each amended to read  
29 as follows:

30 (1) Within available funds, the (~~(council for children and~~  
31 ~~families)) department shall fund evidence-based and research-based home  
32 visitation programs for improving parenting skills and outcomes for  
33 children. Home visitation programs must be voluntary and must address  
34 the needs of families to alleviate the effect on child development of  
35 factors such as poverty, single parenthood, parental unemployment or  
36 underemployment, parental disability, or parental lack of high school~~

1 diploma, which research shows are risk factors for child abuse and  
2 neglect and poor educational outcomes. In order to maximize  
3 opportunities to obtain matching funds from private entities, general  
4 funds intended to support home visiting funding shall be appropriated  
5 to the home visiting services account established in RCW 43.215.130.

6 (2) The (~~council for children and families shall develop a plan~~)  
7 department shall work with the department of social and health  
8 services, the department of health(~~, the department of early learning,~~  
9 ~~and the family policy council~~), the private-public partnership created  
10 in RCW 43.215.070, and key partners and stakeholders to develop a plan  
11 to coordinate or consolidate home visitation services for children and  
12 families (~~and report to the appropriate committees of the legislature~~  
13 ~~by December 1, 2007, with their recommendations for implementation of~~  
14 ~~the plan~~) to the extent practicable.

15 **Sec. 8.** RCW 43.70.555 and 1998 c 245 s 77 are each amended to read  
16 as follows:

17 The department(~~, in consultation with the family policy council~~  
18 ~~created in chapter 70.190 RCW,~~) shall establish, by rule, standards  
19 for local health departments and networks to use in assessment,  
20 performance measurement, policy development, and assurance regarding  
21 social development to prevent health problems caused by risk factors  
22 empirically linked to: Violent criminal acts by juveniles, teen  
23 substance abuse, teen pregnancy and male parentage, teen suicide  
24 attempts, dropping out of school, child abuse or neglect, and domestic  
25 violence. The standards shall be based on the standards set forth in  
26 the public health services improvement plan as required by RCW  
27 43.70.550.

28 NEW SECTION. **Sec. 9.** (1) Beginning July 1, 2011, the council for  
29 children and families and the department of early learning shall  
30 develop a plan for transitioning the work of the council for children  
31 and families, including public awareness campaigns, to the department  
32 of early learning. The council for children and families and the  
33 department of early learning shall participate in the development of  
34 the private-public initiative in order to streamline efforts around the  
35 prevention of child abuse and neglect and avoid duplication of effort.

1 (2) The executive director of the council for children and families  
2 and the director of the department of early learning shall consult with  
3 the planning group convened in section 3 of this act to develop  
4 strategies to maximize Washington's leverage and match of federal child  
5 abuse and neglect prevention moneys.

6 (3) No later than January 1, 2012, the council for children and  
7 families and the department of early learning shall report to the  
8 appropriate committees of the legislature on its transition plan.

9 **Sec. 10.** RCW 74.14A.060 and 2000 c 219 s 2 are each amended to  
10 read as follows:

11 Within available funds, the secretary of the department of social  
12 and health services shall (~~charge appropriated funds to~~) support  
13 blended funding projects for youth (~~subject to any current or future~~  
14 ~~waiver the department receives to the requirements of IV-E funding~~).  
15 To be eligible for blended funding a child must be eligible for  
16 services designed to address a behavioral, mental, emotional, or  
17 substance abuse issue from the department of social and health services  
18 and require services from more than one categorical service delivery  
19 system. Before any blended funding project is established by the  
20 secretary, any entity or person proposing the project shall seek input  
21 from the public health and safety network or networks established in  
22 the catchment area of the project. The network or networks shall  
23 submit recommendations on the blended funding project to the (~~family~~  
24 ~~policy council~~) private-public initiative described in section 3 of  
25 this act. The (~~family policy council~~) private-public initiative  
26 shall advise the secretary whether to approve the proposed blended  
27 funding project. The network shall review the proposed blended funding  
28 project pursuant to its authority to examine the decategorization of  
29 program funds under RCW 70.190.110, within the current appropriation  
30 level. The department shall document the number of children who  
31 participate in blended funding projects, the total blended funding  
32 amounts per child, the amount charged to each appropriation by program,  
33 and services provided to each child through each blended funding  
34 project and report this information to the appropriate committees of  
35 the legislature by December 1st of each year, beginning in December 1,  
36 2000.

1       **Sec. 11.** RCW 70.190.040 and 1993 c 336 s 901 are each amended to  
2 read as follows:

3       (1) The legislature finds that helping children to arrive at school  
4 ready to learn is an important part of improving student learning.

5       (2) To the extent funds are appropriated, the (~~family policy~~  
6 ~~council~~) superintendent of public instruction shall award grants to  
7 community-based consortiums that submit comprehensive plans that  
8 include strategies to improve readiness to learn.

9       NEW SECTION. **Sec. 12.** The following acts or parts of acts, as now  
10 existing or hereafter amended, are each repealed, effective June 30,  
11 2012:

12       (1) RCW 43.121.010 (Legislative declaration, intent) and 1982 c 4  
13 s 1;

14       (2) RCW 43.121.015 (Definitions) and 2008 c 152 s 8, 1988 c 278 s  
15 4, & 1987 c 351 s 2;

16       (3) RCW 43.121.020 (Council established--Members, chairperson--  
17 Appointment, qualifications, terms, vacancies) and 2008 c 152 s 7, 2007  
18 c 144 s 1, 1996 c 10 s 1, 1994 c 48 s 1, 1989 c 304 s 4, 1987 c 351 s  
19 3, 1984 c 261 s 1, & 1982 c 4 s 2;

20       (4) RCW 43.121.030 (Compensation and travel expenses of members)  
21 and 1984 c 287 s 87 & 1982 c 4 s 3;

22       (5) RCW 43.121.040 (Executive director, salary--Staff) and 1982 c  
23 4 s 4;

24       (6) RCW 43.121.050 (Council powers and duties--Generally--Rules)  
25 and 1988 c 278 s 5, 1987 c 351 s 4, & 1982 c 4 s 5;

26       (7) RCW 43.121.060 (Contracts for services--Scope of programs--  
27 Funding) and 1982 c 4 s 6;

28       (8) RCW 43.121.070 (Contracts for services--Factors in awarding)  
29 and 1982 c 4 s 7;

30       (9) RCW 43.121.080 (Contracts for services--Partial funding by  
31 administering organization, what constitutes) and 1982 c 4 s 8;

32       (10) RCW 43.121.110 (Parenting skills--Legislative findings) and  
33 1988 c 278 s 1;

34       (11) RCW 43.121.120 (Community-based early parenting skills  
35 programs--Funding) and 1988 c 278 s 2;

36       (12) RCW 43.121.130 (Decreased state funding of parenting skills  
37 programs--Evaluation) and 1998 c 245 s 48 & 1988 c 278 s 3;



1 (13) RCW 43.121.140 (Shaken baby syndrome--Outreach campaign) and  
2 1993 c 107 s 2;

3 (14) RCW 43.121.150 (Juvenile crime--Legislative findings) and 1997  
4 c 338 s 56;

5 (15) RCW 43.121.160 (Postpartum depression--Public information and  
6 communication outreach campaign) and 2005 c 347 s 2;

7 (16) RCW 43.121.185 (Children's trust of Washington renamed) and  
8 2008 c 152 s 5 & 2007 c 466 s 4; and

9 (17) RCW 43.121.910 (Severability--1982 c 4) and 1982 c 4 s 15.

10 NEW SECTION. **Sec. 13.** The following acts or parts of acts, as now  
11 existing or hereafter amended, are each repealed, effective June 30,  
12 2012:

13 (1) RCW 70.190.005 (Purpose) and 1994 sp.s. c 7 s 301 & 1992 c 198  
14 s 1;

15 (2) RCW 70.190.010 (Definitions) and 2009 c 565 s 52, 2009 c 479 s  
16 58, 1996 c 132 s 2, 1995 c 399 s 200, & 1992 c 198 s 3;

17 (3) RCW 70.190.020 (Consolidate efforts of existing entities) and  
18 1994 sp.s. c 7 s 315 & 1992 c 198 s 4;

19 (4) RCW 70.190.100 (Duties of council) and 2009 c 479 s 59, 1998 c  
20 245 s 123, & 1994 sp.s. c 7 s 307;

21 (5) RCW 70.190.110 (Program review) and 1998 c 245 s 124 & 1994  
22 sp.s. c 7 s 308;

23 (6) RCW 70.190.120 (Interagency agreement) and 1994 sp.s. c 7 s  
24 309;

25 (7) RCW 70.190.130 (Comprehensive plan--Approval process--Network  
26 expenditures--Penalty for noncompliance with chapter) and 1998 c 314 s  
27 13, 1996 c 132 s 8, & 1994 sp.s. c 7 s 310;

28 (8) RCW 70.190.150 (Federal restrictions on funds transfers,  
29 waivers) and 1994 sp.s. c 7 s 312; and

30 (9) RCW 70.190.920 (Effective date--1992 c 198) and 1992 c 198 s  
31 21.

32 NEW SECTION. **Sec. 14.** RCW 74.14C.050 (Implementation and  
33 evaluation plan) and 1995 c 311 s 9 & 1992 c 214 s 6 are each repealed.

34 NEW SECTION. **Sec. 15.** RCW 70.190.040 is recodified as a section  
35 in chapter 28A.300 RCW.

1        NEW SECTION.   **Sec. 16.**   Sections 1 through 3 of this act constitute  
2 a new chapter in Title 70 RCW.

3        NEW SECTION.   **Sec. 17.**   Section 5 of this act takes effect July 1,  
4 2012."

**E2SHB 1965** - S AMD  
By Senators Regala, Carrell

**ADOPTED 05/22/2011**

5        On page 1, line 2 of the title, after "experiences;" strike the  
6 remainder of the title and insert "amending RCW 13.40.462, 43.121.100,  
7 43.215.146, 43.215.147, 43.70.555, 74.14A.060, and 70.190.040; adding  
8 a new section to chapter 28A.300 RCW; adding a new chapter to Title 70  
9 RCW; creating a new section; recodifying RCW 70.190.040; repealing RCW  
10 43.121.010, 43.121.015, 43.121.020, 43.121.030, 43.121.040, 43.121.050,  
11 43.121.060, 43.121.070, 43.121.080, 43.121.110, 43.121.120, 43.121.130,  
12 43.121.140, 43.121.150, 43.121.160, 43.121.185, 43.121.910, 70.190.005,  
13 70.190.010, 70.190.020, 70.190.100, 70.190.110, 70.190.120, 70.190.130,  
14 70.190.150, 70.190.920, and 74.14C.050; and providing effective dates."

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