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**SUBSTITUTE HOUSE BILL 2657**

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**State of Washington                      62nd Legislature                      2012 Regular Session**

**By** House Health & Human Services Appropriations & Oversight  
(originally sponsored by Representatives Roberts, Kagi, Maxwell, and Kenney)

READ FIRST TIME 02/06/12.

1            AN ACT Relating to adoption support expenditures; adding new  
2 sections to chapter 74.13A RCW; adding a new section to chapter 71.36  
3 RCW; and providing an expiration date.

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

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

7            The legislature finds that the current state adoption support  
8 policy to encourage, within available funds, the adoption of certain  
9 hard to place children, has expedited permanency for children who are  
10 unable to reunify with their family and has resulted in savings  
11 otherwise spent on foster care.

12           The legislature also finds that current economic conditions have  
13 reduced state funds available for many critical programs. The  
14 legislature further finds that adoption support expenditures continue  
15 to increase. Given these realities, the legislature finds there is a  
16 need to control adoption support costs without adversely impacting  
17 permanency for state dependent children.

18           The legislature acknowledges that the best way to reduce adoption  
19 support and foster care expenditures is to safely prevent children from

1 entering the foster care system. However, the legislature also finds  
2 that the recent prospective reduction to adoption support payments set  
3 forth in chapter 50, Laws of 2011 1st sp. sess. has not, to date,  
4 adversely impacted permanency for foster children in need of adoptive  
5 homes.

6 Therefore, the legislature intends to continue the adoption  
7 assistance rate reduction beyond the period set forth in the operating  
8 budget, while focusing on sustainable long-term efforts to prevent  
9 children from entering the foster care system, such as pursuing a  
10 potential federal Title IV-E waiver, which if granted, would allow  
11 Washington to reinvest dollars otherwise spent on foster care in  
12 prevention programs.

13 The legislature also finds that many adoptive parents spend  
14 adoption support payments on additional mental health services for  
15 adoptive children that are not currently covered by existing public  
16 programs. The legislature intends to offset adoption support payment  
17 expenditures by facilitating efforts to improve the access and quality  
18 of existing mental health services for adoptive families in the long  
19 term.

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

22 (1) To ensure expenditures continue to remain within available  
23 funds as required by RCW 74.13A.005 and 74.13A.020, the secretary shall  
24 not set the amount of any adoption assistance payment or payments, made  
25 pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080, to more  
26 than eighty percent of the foster care maintenance payment for that  
27 child had he or she remained in a foster family home during the same  
28 period. This subsection applies prospectively to adoption assistance  
29 agreements established on or after July 1, 2013.

30 (2) The department must establish a central unit of adoption  
31 support negotiators to help ensure consistent negotiation of adoption  
32 support agreements that will balance the needs of adoptive families  
33 with the state's need to remain fiscally responsible.

34 (3) The department must request, in writing, that adoptive families  
35 with existing adoption support contracts renegotiate their contracts to  
36 establish lower adoption assistance payments if it is fiscally feasible

1 for the family to do so. The department shall explain that adoption  
2 support contracts may be renegotiated as needs arise.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 71.36 RCW  
4 to read as follows:

5 (1) The department of social and health services, division of  
6 behavioral health and recovery, shall convene a work group as part of  
7 its children's mental health redesign process, to develop  
8 recommendations to better address the mental health service needs of  
9 adoptive families and reduce the need for adoptive families to spend  
10 adoption support payments on mental health services for their adoptive  
11 children. In developing recommendations, the work group should assess:

12 (a) The mental health service needs of children in adoption support  
13 households;

14 (b) Existing service and provider capacity to meet the identified  
15 needs of children in adoption support households; and

16 (c) Additional provider training, consultation or capacity  
17 necessary to meet unmet service needs, and increase the use of  
18 appropriate evidence-based practices.

19 (2) The work group must include, but is not limited to,  
20 representatives from the department of social and health services  
21 children's administration, the health care authority, the University of  
22 Washington department of psychiatry, the children's mental health  
23 evidence-based practice institute, regional support networks, mental  
24 health service providers, health plans, primary care providers, tribes,  
25 adoptive families, and representatives from other relevant  
26 organizations as needed. The work group shall issue its  
27 recommendations to the legislature no later than December 15, 2012.

28 (3) This section expires August 1, 2013.

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