

E2SSB 5405 - H COMM AMD

By Committee on Early Learning & Human Services

NOT CONSIDERED 04/16/2013

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the federal
4 fostering connections to success and increasing adoptions act of 2008
5 provides important new opportunities to increase the impact of state
6 funding through maximizing the amount of federal funding available to
7 promote permanency and positive outcomes for dependent youth.

8 (2) The legislature also finds that children and adolescents who
9 are legal dependents of Washington state have experienced significant
10 trauma and loss, putting them at increased risk for poor life outcomes.
11 Longitudinal research on the adult functioning of former foster youth
12 indicates a disproportionate likelihood that youth aging out of foster
13 care and those who spent several years in care will experience poor
14 outcomes in a variety of areas, including limited human capital upon
15 which to build economic security and inability to fully take advantage
16 of secondary and postsecondary educational opportunities, untreated
17 mental or behavioral health problems, involvement in the criminal
18 justice and corrections systems, and early parenthood combined with
19 second-generation child welfare involvement.

20 (3) The legislature further finds that research also demonstrates
21 that access to adequate and appropriate supports during the period of
22 transition from foster care to independence can have significant
23 positive impacts on adult functioning and can improve outcomes relating
24 to educational attainment and postsecondary enrollment, employment and
25 earnings, and reduced rates of teen pregnancies.

26 **Sec. 2.** RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each
27 reenacted and amended to read as follows:

28 For purposes of this chapter:

1 (1) "Abandoned" means when the child's parent, guardian, or other
2 custodian has expressed, either by statement or conduct, an intent to
3 forego, for an extended period, parental rights or responsibilities
4 despite an ability to exercise such rights and responsibilities. If
5 the court finds that the petitioner has exercised due diligence in
6 attempting to locate the parent, no contact between the child and the
7 child's parent, guardian, or other custodian for a period of three
8 months creates a rebuttable presumption of abandonment, even if there
9 is no expressed intent to abandon.

10 (2) "Child," "juvenile," and "youth" means:

11 (a) Any individual under the age of eighteen years; or

12 (b) Any individual age eighteen to twenty-one years who is eligible
13 to receive and who elects to receive the extended foster care services
14 authorized under RCW 74.13.031. A youth who remains dependent and who
15 receives extended foster care services under RCW 74.13.031 shall not be
16 considered a "child" under any other statute or for any other purpose.

17 (3) "Current placement episode" means the period of time that
18 begins with the most recent date that the child was removed from the
19 home of the parent, guardian, or legal custodian for purposes of
20 placement in out-of-home care and continues until: (a) The child
21 returns home; (b) an adoption decree, a permanent custody order, or
22 guardianship order is entered; or (c) the dependency is dismissed,
23 whichever occurs first.

24 (4) "Department" means the department of social and health
25 services.

26 (5) "Dependency guardian" means the person, nonprofit corporation,
27 or Indian tribe appointed by the court pursuant to this chapter for the
28 limited purpose of assisting the court in the supervision of the
29 dependency.

30 (6) "Dependent child" means any child who:

31 (a) Has been abandoned;

32 (b) Is abused or neglected as defined in chapter 26.44 RCW by a
33 person legally responsible for the care of the child;

34 (c) Has no parent, guardian, or custodian capable of adequately
35 caring for the child, such that the child is in circumstances which
36 constitute a danger of substantial damage to the child's psychological
37 or physical development; or

1 (d) Is receiving extended foster care services, as authorized by
2 RCW 74.13.031.

3 (7) "Developmental disability" means a disability attributable to
4 intellectual disability, cerebral palsy, epilepsy, autism, or another
5 neurological or other condition of an individual found by the secretary
6 to be closely related to an intellectual disability or to require
7 treatment similar to that required for individuals with intellectual
8 disabilities, which disability originates before the individual attains
9 age eighteen, which has continued or can be expected to continue
10 indefinitely, and which constitutes a substantial limitation to the
11 individual.

12 (8) "Extended foster care services" means residential and other
13 support services the department is authorized to provide under RCW
14 74.13.031. These services may include placement in licensed, relative,
15 or otherwise approved care, or supervised independent living settings;
16 assistance in meeting basic needs; independent living services; medical
17 assistance; and counseling or treatment.

18 (9) "Guardian" means the person or agency that: (a) Has been
19 appointed as the guardian of a child in a legal proceeding, including
20 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the
21 legal right to custody of the child pursuant to such appointment. The
22 term "guardian" does not include a "dependency guardian" appointed
23 pursuant to a proceeding under this chapter.

24 (10) "Guardian ad litem" means a person, appointed by the court to
25 represent the best interests of a child in a proceeding under this
26 chapter, or in any matter which may be consolidated with a proceeding
27 under this chapter. A "court-appointed special advocate" appointed by
28 the court to be the guardian ad litem for the child, or to perform
29 substantially the same duties and functions as a guardian ad litem,
30 shall be deemed to be guardian ad litem for all purposes and uses of
31 this chapter.

32 (11) "Guardian ad litem program" means a court-authorized volunteer
33 program, which is or may be established by the superior court of the
34 county in which such proceeding is filed, to manage all aspects of
35 volunteer guardian ad litem representation for children alleged or
36 found to be dependent. Such management shall include but is not
37 limited to: Recruitment, screening, training, supervision, assignment,
38 and discharge of volunteers.

1 (12) "Housing assistance" means appropriate referrals by the
2 department or other supervising agencies to federal, state, local, or
3 private agencies or organizations, assistance with forms, applications,
4 or financial subsidies or other monetary assistance for housing. For
5 purposes of this chapter, "housing assistance" is not a remedial
6 service or time-limited family reunification service as described in
7 RCW 13.34.025(2).

8 (13) "Indigent" means a person who, at any stage of a court
9 proceeding, is:

10 (a) Receiving one of the following types of public assistance:
11 Temporary assistance for needy families, aged, blind, or disabled
12 assistance benefits, medical care services under RCW 74.09.035,
13 pregnant women assistance benefits, poverty-related veterans' benefits,
14 food stamps or food stamp benefits transferred electronically, refugee
15 resettlement benefits, medicaid, or supplemental security income; or

16 (b) Involuntarily committed to a public mental health facility; or

17 (c) Receiving an annual income, after taxes, of one hundred twenty-
18 five percent or less of the federally established poverty level; or

19 (d) Unable to pay the anticipated cost of counsel for the matter
20 before the court because his or her available funds are insufficient to
21 pay any amount for the retention of counsel.

22 (14) "Out-of-home care" means placement in a foster family home or
23 group care facility licensed pursuant to chapter 74.15 RCW or placement
24 in a home, other than that of the child's parent, guardian, or legal
25 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

26 (15) "Preventive services" means preservation services, as defined
27 in chapter 74.14C RCW, and other reasonably available services,
28 including housing assistance, capable of preventing the need for out-
29 of-home placement while protecting the child.

30 (16) "Shelter care" means temporary physical care in a facility
31 licensed pursuant to RCW 74.15.030 or in a home not required to be
32 licensed pursuant to RCW 74.15.030.

33 (17) "Sibling" means a child's birth brother, birth sister,
34 adoptive brother, adoptive sister, half-brother, or half-sister, or as
35 defined by the law or custom of the Indian child's tribe for an Indian
36 child as defined in RCW 13.38.040.

37 (18) "Social study" means a written evaluation of matters relevant

1 to the disposition of the case and shall contain the following
2 information:

3 (a) A statement of the specific harm or harms to the child that
4 intervention is designed to alleviate;

5 (b) A description of the specific services and activities, for both
6 the parents and child, that are needed in order to prevent serious harm
7 to the child; the reasons why such services and activities are likely
8 to be useful; the availability of any proposed services; and the
9 agency's overall plan for ensuring that the services will be delivered.
10 The description shall identify the services chosen and approved by the
11 parent;

12 (c) If removal is recommended, a full description of the reasons
13 why the child cannot be protected adequately in the home, including a
14 description of any previous efforts to work with the parents and the
15 child in the home; the in-home treatment programs that have been
16 considered and rejected; the preventive services, including housing
17 assistance, that have been offered or provided and have failed to
18 prevent the need for out-of-home placement, unless the health, safety,
19 and welfare of the child cannot be protected adequately in the home;
20 and the parents' attitude toward placement of the child;

21 (d) A statement of the likely harms the child will suffer as a
22 result of removal;

23 (e) A description of the steps that will be taken to minimize the
24 harm to the child that may result if separation occurs including an
25 assessment of the child's relationship and emotional bond with any
26 siblings, and the agency's plan to provide ongoing contact between the
27 child and the child's siblings if appropriate; and

28 (f) Behavior that will be expected before determination that
29 supervision of the family or placement is no longer necessary.

30 (19) "Supervising agency" means an agency licensed by the state
31 under RCW 74.15.090, or licensed by a federally recognized Indian tribe
32 located in this state under RCW 74.15.190, that has entered into a
33 performance-based contract with the department to provide case
34 management for the delivery and documentation of child welfare services
35 as defined in RCW 74.13.020.

36 (20) "Medical condition" means, for the purpose of qualifying for
37 extended foster care services, a short-term or long-term physical or

1 mental health condition as verified and documented by a health care
2 provider.

3 (21) "Nonminor dependent" means any individual age eighteen to
4 twenty-one years for whom there was an open dependency proceeding at
5 the time that he or she reached the age of eighteen years and who meets
6 the eligibility requirements for extended foster care services
7 authorized under RCW 74.13.031.

8 (22) "Supervised independent living" may include apartment living,
9 room and board arrangements, college or university dormitories, and
10 shared roommate settings. The department has the discretion to
11 determine on a case-by-case basis which supervised independent living
12 arrangement would be in the best interests of the nonminor dependent.

13 **Sec. 3.** RCW 13.34.145 and 2011 c 330 s 6 are each amended to read
14 as follows:

15 (1) The purpose of a permanency planning hearing is to review the
16 permanency plan for the child, inquire into the welfare of the child
17 and progress of the case, and reach decisions regarding the permanent
18 placement of the child.

19 (a) A permanency planning hearing shall be held in all cases where
20 the child has remained in out-of-home care for at least nine months and
21 an adoption decree, guardianship order, or permanent custody order has
22 not previously been entered. The hearing shall take place no later
23 than twelve months following commencement of the current placement
24 episode.

25 (b) Whenever a child is removed from the home of a dependency
26 guardian or long-term relative or foster care provider, and the child
27 is not returned to the home of the parent, guardian, or legal custodian
28 but is placed in out-of-home care, a permanency planning hearing shall
29 take place no later than twelve months, as provided in this section,
30 following the date of removal unless, prior to the hearing, the child
31 returns to the home of the dependency guardian or long-term care
32 provider, the child is placed in the home of the parent, guardian, or
33 legal custodian, an adoption decree, guardianship order, or a permanent
34 custody order is entered, or the dependency is dismissed. Every effort
35 shall be made to provide stability in long-term placement, and to avoid
36 disruption of placement, unless the child is being returned home or it
37 is in the best interest of the child.

1 (c) Permanency planning goals should be achieved at the earliest
2 possible date, preferably before the child has been in out-of-home care
3 for fifteen months. In cases where parental rights have been
4 terminated, the child is legally free for adoption, and adoption has
5 been identified as the primary permanency planning goal, it shall be a
6 goal to complete the adoption within six months following entry of the
7 termination order.

8 (2) No later than ten working days prior to the permanency planning
9 hearing, the agency having custody of the child shall submit a written
10 permanency plan to the court and shall mail a copy of the plan to all
11 parties and their legal counsel, if any.

12 (3) When the youth is at least age seventeen years but not older
13 than seventeen years and six months, the department shall provide the
14 youth with written documentation which explains the availability of
15 extended foster care services and detailed instructions regarding how
16 the youth may access such services after he or she reaches age eighteen
17 years.

18 (4) At the permanency planning hearing, the court shall conduct the
19 following inquiry:

20 (a) If a goal of long-term foster or relative care has been
21 achieved prior to the permanency planning hearing, the court shall
22 review the child's status to determine whether the placement and the
23 plan for the child's care remain appropriate.

24 (b) In cases where the primary permanency planning goal has not
25 been achieved, the court shall inquire regarding the reasons why the
26 primary goal has not been achieved and determine what needs to be done
27 to make it possible to achieve the primary goal. The court shall
28 review the permanency plan prepared by the agency and make explicit
29 findings regarding each of the following:

30 (i) The continuing necessity for, and the safety and
31 appropriateness of, the placement;

32 (ii) The extent of compliance with the permanency plan by the
33 department or supervising agency and any other service providers, the
34 child's parents, the child, and the child's guardian, if any;

35 (iii) The extent of any efforts to involve appropriate service
36 providers in addition to department or supervising agency staff in
37 planning to meet the special needs of the child and the child's
38 parents;

1 (iv) The progress toward eliminating the causes for the child's
2 placement outside of his or her home and toward returning the child
3 safely to his or her home or obtaining a permanent placement for the
4 child;

5 (v) The date by which it is likely that the child will be returned
6 to his or her home or placed for adoption, with a guardian or in some
7 other alternative permanent placement; and

8 (vi) If the child has been placed outside of his or her home for
9 fifteen of the most recent twenty-two months, not including any period
10 during which the child was a runaway from the out-of-home placement or
11 the first six months of any period during which the child was returned
12 to his or her home for a trial home visit, the appropriateness of the
13 permanency plan, whether reasonable efforts were made by the department
14 or supervising agency to achieve the goal of the permanency plan, and
15 the circumstances which prevent the child from any of the following:

16 (A) Being returned safely to his or her home;

17 (B) Having a petition for the involuntary termination of parental
18 rights filed on behalf of the child;

19 (C) Being placed for adoption;

20 (D) Being placed with a guardian;

21 (E) Being placed in the home of a fit and willing relative of the
22 child; or

23 (F) Being placed in some other alternative permanent placement,
24 including independent living or long-term foster care.

25 At this hearing, the court shall order the department or
26 supervising agency to file a petition seeking termination of parental
27 rights if the child has been in out-of-home care for fifteen of the
28 last twenty-two months since the date the dependency petition was filed
29 unless the court makes a good cause exception as to why the filing of
30 a termination of parental rights petition is not appropriate. Any good
31 cause finding shall be reviewed at all subsequent hearings pertaining
32 to the child. For purposes of this section, "good cause exception"
33 includes but is not limited to the following: The child is being cared
34 for by a relative; the department has not provided to the child's
35 family such services as the court and the department have deemed
36 necessary for the child's safe return home; or the department has
37 documented in the case plan a compelling reason for determining that

1 filing a petition to terminate parental rights would not be in the
2 child's best interests.

3 (c)(i) If the permanency plan identifies independent living as a
4 goal, the court shall make a finding that the provision of services to
5 assist the child in making a transition from foster care to independent
6 living will allow the child to manage his or her financial, personal,
7 social, educational, and nonfinancial affairs prior to approving
8 independent living as a permanency plan of care. The court will
9 inquire whether the child has been provided information about extended
10 foster care services.

11 (ii) The permanency plan shall also specifically identify the
12 services, including extended foster care services, where appropriate,
13 that will be provided to assist the child to make a successful
14 transition from foster care to independent living.

15 (iii) The department or supervising agency shall not discharge a
16 child to an independent living situation before the child is eighteen
17 years of age unless the child becomes emancipated pursuant to chapter
18 13.64 RCW.

19 (d) If the child has resided in the home of a foster parent or
20 relative for more than six months prior to the permanency planning
21 hearing, the court shall:

22 (i) Enter a finding regarding whether the foster parent or relative
23 was informed of the hearing as required in RCW 74.13.280, 13.34.215(6),
24 and 13.34.096; and

25 (ii) If the department or supervising agency is recommending a
26 placement other than the child's current placement with a foster
27 parent, relative, or other suitable person, enter a finding as to the
28 reasons for the recommendation for a change in placement.

29 ~~((4))~~ (5) In all cases, at the permanency planning hearing, the
30 court shall:

31 (a)(i) Order the permanency plan prepared by the supervising agency
32 to be implemented; or

33 (ii) Modify the permanency plan, and order implementation of the
34 modified plan; and

35 (b)(i) Order the child returned home only if the court finds that
36 a reason for removal as set forth in RCW 13.34.130 no longer exists; or

37 (ii) Order the child to remain in out-of-home care for a limited

1 specified time period while efforts are made to implement the
2 permanency plan.

3 ~~((+5))~~ (6) Following the first permanency planning hearing, the
4 court shall hold a further permanency planning hearing in accordance
5 with this section at least once every twelve months until a permanency
6 planning goal is achieved or the dependency is dismissed, whichever
7 occurs first.

8 ~~((+6))~~ (7) Prior to the second permanency planning hearing, the
9 agency that has custody of the child shall consider whether to file a
10 petition for termination of parental rights.

11 ~~((+7))~~ (8) If the court orders the child returned home, casework
12 supervision by the department or supervising agency shall continue for
13 at least six months, at which time a review hearing shall be held
14 pursuant to RCW 13.34.138, and the court shall determine the need for
15 continued intervention.

16 ~~((+8))~~ (9) The juvenile court may hear a petition for permanent
17 legal custody when: (a) The court has ordered implementation of a
18 permanency plan that includes permanent legal custody; and (b) the
19 party pursuing the permanent legal custody is the party identified in
20 the permanency plan as the prospective legal custodian. During the
21 pendency of such proceeding, the court shall conduct review hearings
22 and further permanency planning hearings as provided in this chapter.
23 At the conclusion of the legal guardianship or permanent legal custody
24 proceeding, a juvenile court hearing shall be held for the purpose of
25 determining whether dependency should be dismissed. If a guardianship
26 or permanent custody order has been entered, the dependency shall be
27 dismissed.

28 ~~((+9))~~ (10) Continued juvenile court jurisdiction under this
29 chapter shall not be a barrier to the entry of an order establishing a
30 legal guardianship or permanent legal custody when the requirements of
31 subsection ~~((+8))~~ (9) of this section are met.

32 ~~((+10))~~ (11) Nothing in this chapter may be construed to limit the
33 ability of the agency that has custody of the child to file a petition
34 for termination of parental rights or a guardianship petition at any
35 time following the establishment of dependency. Upon the filing of
36 such a petition, a fact-finding hearing shall be scheduled and held in
37 accordance with this chapter unless the department or supervising

1 agency requests dismissal of the petition prior to the hearing or
2 unless the parties enter an agreed order terminating parental rights,
3 establishing guardianship, or otherwise resolving the matter.

4 ~~((+11+))~~ (12) The approval of a permanency plan that does not
5 contemplate return of the child to the parent does not relieve the
6 supervising agency of its obligation to provide reasonable services,
7 under this chapter, intended to effectuate the return of the child to
8 the parent, including but not limited to, visitation rights. The court
9 shall consider the child's relationships with siblings in accordance
10 with RCW 13.34.130.

11 ~~((+12+))~~ (13) Nothing in this chapter may be construed to limit the
12 procedural due process rights of any party in a termination or
13 guardianship proceeding filed under this chapter.

14 **Sec. 4.** RCW 13.34.267 and 2012 c 52 s 4 are each amended to read
15 as follows:

16 (1) In order to facilitate the delivery of extended foster care
17 services, the court shall postpone for six months the dismissal of a
18 dependency proceeding for any ~~((child))~~ youth who at the age of
19 eighteen years is:

20 (a) A dependent ~~((child))~~ in foster care ~~((at the age of eighteen~~
21 ~~years and who, at the time of his or her eighteenth birthday is+))~~; or

22 (b) Serving a commitment at a juvenile rehabilitation
23 administration facility and has a release date within six months after
24 reaching age eighteen years.

25 (2) The six-month postponement under this section is intended to
26 allow a reasonable window of opportunity for an eligible youth to
27 request extended foster care services from the department.

28 (3) Except as provided in subsection (7) of this section, a youth
29 is eligible for extended foster care services if, at any time during
30 the six-month postponement period, he or she agrees to receive such
31 services and is:

32 (a) Enrolled in a secondary education program or a secondary
33 education equivalency program; ~~((or))~~

34 (b) Enrolled and participating in a postsecondary academic or
35 postsecondary vocational program, or has applied for and can
36 demonstrate that he or she intends to timely enroll in a postsecondary
37 academic or postsecondary vocational program;

1 (c) Participating in a program or activity designed to promote
2 employment or remove barriers to employment;

3 (d) Engaging in employment for eighty hours or more per month; or

4 (e) Incapable of engaging in any of the activities described in (a)
5 through (d) of this subsection due to a medical condition that is
6 supported by regularly updated information.

7 ~~((2)(a) The six month postponement under this subsection is~~
8 ~~intended to allow a reasonable window of opportunity for an eligible~~
9 ~~youth who reaches the age of eighteen to request extended foster care~~
10 ~~services from the department or supervising agency.)) (4)(a) The court~~
11 shall dismiss the dependency if by the end of the six-month period the
12 youth:

13 (i) Has not requested extended foster care services from the
14 department ~~((by the end of the six month period))~~; ~~((or))~~

15 (ii) Is no longer eligible for extended foster care services under
16 RCW 74.13.031~~((+10) at any point during the six month period))~~;

17 (iii) Has not been released from his or her commitment to the
18 juvenile rehabilitation administration; or

19 (iv) Does not have extended foster care services available to him
20 or her pursuant to subsection (7) of this section.

21 (b) Until the youth requests to participate in the extended foster
22 care program, the department is relieved of any supervisory
23 responsibility for the youth.

24 ~~((3))~~ (5) A youth who participates in extended foster care while
25 completing a secondary education or equivalency program may continue to
26 receive extended foster care services for the purpose of participating
27 in a postsecondary academic or postsecondary vocational education
28 program if, at the time the secondary education or equivalency program
29 is completed, the youth has applied to and can demonstrate that he or
30 she intends to timely enroll in a postsecondary academic or vocational
31 education program. The dependency shall be dismissed if the youth
32 fails to timely enroll or continue in the postsecondary program, or
33 reaches age twenty-one, whichever is earlier.

34 ~~((4))~~ (6) A youth receiving extended foster care services is a
35 party to the dependency proceeding. The youth's parent or guardian
36 shall be dismissed from the dependency proceeding when the youth
37 reaches the age of eighteen years.

1 ~~((+5))~~ (7) If the nonminor dependent meets the criteria described
2 in subsection (3)(c) through (e) of this section, he or she may be
3 eligible to receive extended foster care services pursuant to RCW
4 74.13.031 to the extent funds are specifically appropriated for this
5 purpose and subject to the nonminor dependent's continuing eligibility
6 and agreement to participate.

7 (8) The court shall order a youth participating in extended foster
8 care services to be under the placement and care authority of the
9 department, subject to the youth's continuing agreement to participate
10 in extended foster care services. The department may establish foster
11 care rates appropriate to the needs of the youth participating in
12 extended foster care services. The department's placement and care
13 authority over a youth receiving extended foster care services is
14 solely for the purpose of providing services and does not create a
15 cause of action against the department or its employees for any damages
16 caused by the actions of youth receiving extended foster care services.

17 ~~((+6))~~ (9) The court shall appoint counsel to represent a youth,
18 as defined in RCW 13.34.030(2)(b), in dependency proceedings under this
19 section.

20 ~~((+7))~~ (10) The case plan for and delivery of services to a youth
21 receiving extended foster care services is subject to the review
22 requirements set forth in RCW 13.34.138 and 13.34.145, and should be
23 applied in a developmentally appropriate manner, as they relate to
24 youth age eighteen to twenty-one years. Additionally, the court shall
25 consider:

26 (a) Whether the youth is safe in his or her placement;

27 (b) Whether the youth continues to be eligible for extended foster
28 care services;

29 (c) Whether the current placement is developmentally appropriate
30 for the youth;

31 (d) The youth's development of independent living skills; and

32 (e) The youth's overall progress toward transitioning to full
33 independence and the projected date for achieving such transition.

34 ~~((+8))~~ (11) Prior to the review hearing, the youth's attorney
35 shall indicate whether there are any contested issues and may provide
36 additional information necessary for the court's review.

37 ~~((+9))~~ (12) Upon the request of the youth, or when the youth is no

1 longer eligible to receive extended foster care services according to
2 rules adopted by the department, the court shall dismiss the
3 dependency.

4 **Sec. 5.** RCW 74.13.020 and 2012 c 205 s 12 are each amended to read
5 as follows:

6 For purposes of this chapter:

7 (1) "Case management" means convening family meetings, developing,
8 revising, and monitoring implementation of any case plan or individual
9 service and safety plan, coordinating and monitoring services needed by
10 the child and family, caseworker-child visits, family visits, and the
11 assumption of court-related duties, excluding legal representation,
12 including preparing court reports, attending judicial hearings and
13 permanency hearings, and ensuring that the child is progressing toward
14 permanency within state and federal mandates, including the Indian
15 child welfare act.

16 (2) "Child" means:

17 (a) A person less than eighteen years of age; or

18 (b) A person age eighteen to twenty-one years who is eligible to
19 receive the extended foster care services authorized under RCW
20 74.13.031.

21 (3) "Child protective services" has the same meaning as in RCW
22 26.44.020.

23 (4) "Child welfare services" means social services including
24 voluntary and in-home services, out-of-home care, case management, and
25 adoption services which strengthen, supplement, or substitute for,
26 parental care and supervision for the purpose of:

27 (a) Preventing or remedying, or assisting in the solution of
28 problems which may result in families in conflict, or the neglect,
29 abuse, exploitation, or criminal behavior of children;

30 (b) Protecting and caring for dependent, abused, or neglected
31 children;

32 (c) Assisting children who are in conflict with their parents, and
33 assisting parents who are in conflict with their children, with
34 services designed to resolve such conflicts;

35 (d) Protecting and promoting the welfare of children, including the
36 strengthening of their own homes where possible, or, where needed;

1 (e) Providing adequate care of children away from their homes in
2 foster family homes or day care or other child care agencies or
3 facilities.

4 "Child welfare services" does not include child protection
5 services.

6 (5) "Committee" means the child welfare transformation design
7 committee.

8 (6) "Department" means the department of social and health
9 services.

10 (7) "Extended foster care services" means residential and other
11 support services the department is authorized to provide to foster
12 children. These services may include(~~(, but are not limited to,)~~)
13 placement in licensed, relative, or otherwise approved care, or
14 supervised independent living settings; assistance in meeting basic
15 needs; independent living services; medical assistance; and counseling
16 or treatment.

17 (8) "Measurable effects" means a statistically significant change
18 which occurs as a result of the service or services a supervising
19 agency is assigned in a performance-based contract, in time periods
20 established in the contract.

21 (9) "Out-of-home care services" means services provided after the
22 shelter care hearing to or for children in out-of-home care, as that
23 term is defined in RCW 13.34.030, and their families, including the
24 recruitment, training, and management of foster parents, the
25 recruitment of adoptive families, and the facilitation of the adoption
26 process, family reunification, independent living, emergency shelter,
27 residential group care, and foster care, including relative placement.

28 (10) "Performance-based contracting" means the structuring of all
29 aspects of the procurement of services around the purpose of the work
30 to be performed and the desired results with the contract requirements
31 set forth in clear, specific, and objective terms with measurable
32 outcomes. Contracts shall also include provisions that link the
33 performance of the contractor to the level and timing of reimbursement.

34 (11) "Permanency services" means long-term services provided to
35 secure a child's safety, permanency, and well-being, including foster
36 care services, family reunification services, adoption services, and
37 preparation for independent living services.

1 (12) "Primary prevention services" means services which are
2 designed and delivered for the primary purpose of enhancing child and
3 family well-being and are shown, by analysis of outcomes, to reduce the
4 risk to the likelihood of the initial need for child welfare services.

5 (13) "Supervising agency" means an agency licensed by the state
6 under RCW 74.15.090, or licensed by a federally recognized Indian tribe
7 located in this state under RCW 74.15.190, that has entered into a
8 performance-based contract with the department to provide case
9 management for the delivery and documentation of child welfare
10 services, as defined in this section. This definition is applicable on
11 or after December 30, 2015.

12 (14) "Medical condition" means, for the purpose of qualifying for
13 extended foster care services, a short-term or long-term physical or
14 mental health condition as verified and documented by a health care
15 provider.

16 (15) "Nonminor dependent" means any individual age eighteen to
17 twenty-one years for whom there was an open dependency proceeding at
18 the time that he or she reached the age of eighteen years and who meets
19 the eligibility requirements for extended foster care services
20 authorized under RCW 74.13.031.

21 (16) "Supervised independent living" may include apartment living,
22 room and board arrangements, college or university dormitories, and
23 shared roommate settings. The department has the discretion to
24 determine on a case-by-case basis which supervised independent living
25 arrangement would be in the best interests of the nonminor dependent.

26 **Sec. 6.** RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are
27 each reenacted and amended to read as follows:

28 For purposes of this chapter:

29 (1) "Case management" means convening family meetings, developing,
30 revising, and monitoring implementation of any case plan or individual
31 service and safety plan, coordinating and monitoring services needed by
32 the child and family, caseworker-child visits, family visits, and the
33 assumption of court-related duties, excluding legal representation,
34 including preparing court reports, attending judicial hearings and
35 permanency hearings, and ensuring that the child is progressing toward
36 permanency within state and federal mandates, including the Indian
37 child welfare act.

1 (2) "Child" means:
2 (a) A person less than eighteen years of age; or
3 (b) A person age eighteen to twenty-one years who is eligible to
4 receive the extended foster care services authorized under RCW
5 74.13.031.
6 (3) "Child protective services" has the same meaning as in RCW
7 26.44.020.
8 (4) "Child welfare services" means social services including
9 voluntary and in-home services, out-of-home care, case management, and
10 adoption services which strengthen, supplement, or substitute for,
11 parental care and supervision for the purpose of:
12 (a) Preventing or remedying, or assisting in the solution of
13 problems which may result in families in conflict, or the neglect,
14 abuse, exploitation, or criminal behavior of children;
15 (b) Protecting and caring for dependent, abused, or neglected
16 children;
17 (c) Assisting children who are in conflict with their parents, and
18 assisting parents who are in conflict with their children, with
19 services designed to resolve such conflicts;
20 (d) Protecting and promoting the welfare of children, including the
21 strengthening of their own homes where possible, or, where needed;
22 (e) Providing adequate care of children away from their homes in
23 foster family homes or day care or other child care agencies or
24 facilities.
25 "Child welfare services" does not include child protection
26 services.
27 (5) "Committee" means the child welfare transformation design
28 committee.
29 (6) "Department" means the department of social and health
30 services.
31 (7) "Extended foster care services" means residential and other
32 support services the department is authorized to provide to foster
33 children. These services may include(~~(, but are not limited to,)~~)
34 placement in licensed, relative, or otherwise approved care, or
35 supervised independent living settings; assistance in meeting basic
36 needs; independent living services; medical assistance; and counseling
37 or treatment.

1 (8) "Family assessment" means a comprehensive assessment of child
2 safety, risk of subsequent child abuse or neglect, and family strengths
3 and needs that is applied to a child abuse or neglect report. Family
4 assessment does not include a determination as to whether child abuse
5 or neglect occurred, but does determine the need for services to
6 address the safety of the child and the risk of subsequent
7 maltreatment.

8 (9) "Measurable effects" means a statistically significant change
9 which occurs as a result of the service or services a supervising
10 agency is assigned in a performance-based contract, in time periods
11 established in the contract.

12 (10) "Out-of-home care services" means services provided after the
13 shelter care hearing to or for children in out-of-home care, as that
14 term is defined in RCW 13.34.030, and their families, including the
15 recruitment, training, and management of foster parents, the
16 recruitment of adoptive families, and the facilitation of the adoption
17 process, family reunification, independent living, emergency shelter,
18 residential group care, and foster care, including relative placement.

19 (11) "Performance-based contracting" means the structuring of all
20 aspects of the procurement of services around the purpose of the work
21 to be performed and the desired results with the contract requirements
22 set forth in clear, specific, and objective terms with measurable
23 outcomes. Contracts shall also include provisions that link the
24 performance of the contractor to the level and timing of reimbursement.

25 (12) "Permanency services" means long-term services provided to
26 secure a child's safety, permanency, and well-being, including foster
27 care services, family reunification services, adoption services, and
28 preparation for independent living services.

29 (13) "Primary prevention services" means services which are
30 designed and delivered for the primary purpose of enhancing child and
31 family well-being and are shown, by analysis of outcomes, to reduce the
32 risk to the likelihood of the initial need for child welfare services.

33 (14) "Supervising agency" means an agency licensed by the state
34 under RCW 74.15.090, or licensed by a federally recognized Indian tribe
35 located in this state under RCW 74.15.190, that has entered into a
36 performance-based contract with the department to provide case
37 management for the delivery and documentation of child welfare

1 services, as defined in this section. This definition is applicable on
2 or after December 30, 2015.

3 (15) "Medical condition" means, for the purpose of qualifying for
4 extended foster care services, a short-term or long-term physical or
5 mental health condition as verified and documented by a health care
6 provider.

7 (16) "Nonminor dependent" means any individual age eighteen to
8 twenty-one years for whom there was an open dependency proceeding at
9 the time that he or she reached the age of eighteen years and who meets
10 the eligibility requirements for extended foster care services
11 authorized under RCW 74.13.031.

12 (17) "Supervised independent living" may include apartment living,
13 room and board arrangements, college or university dormitories, and
14 shared roommate settings. The department has the discretion to
15 determine on a case-by-case basis which supervised independent living
16 arrangement would be in the best interests of the nonminor dependent.

17 **Sec. 7.** RCW 74.13.031 and 2012 c 52 s 2 are each amended to read
18 as follows:

19 (1) The department and supervising agencies shall develop,
20 administer, supervise, and monitor a coordinated and comprehensive plan
21 that establishes, aids, and strengthens services for the protection and
22 care of runaway, dependent, or neglected children.

23 (2) Within available resources, the department and supervising
24 agencies shall recruit an adequate number of prospective adoptive and
25 foster homes, both regular and specialized, i.e. homes for children of
26 ethnic minority, including Indian homes for Indian children, sibling
27 groups, handicapped and emotionally disturbed, teens, pregnant and
28 parenting teens, and the department shall annually report to the
29 governor and the legislature concerning the department's and
30 supervising agency's success in: (a) Meeting the need for adoptive and
31 foster home placements; (b) reducing the foster parent turnover rate;
32 (c) completing home studies for legally free children; and (d)
33 implementing and operating the passport program required by RCW
34 74.13.285. The report shall include a section entitled "Foster Home
35 Turn-Over, Causes and Recommendations."

36 (3) The department shall investigate complaints of any recent act
37 or failure to act on the part of a parent or caretaker that results in

1 death, serious physical or emotional harm, or sexual abuse or
2 exploitation, or that presents an imminent risk of serious harm, and on
3 the basis of the findings of such investigation, offer child welfare
4 services in relation to the problem to such parents, legal custodians,
5 or persons serving in loco parentis, and/or bring the situation to the
6 attention of an appropriate court, or another community agency. An
7 investigation is not required of nonaccidental injuries which are
8 clearly not the result of a lack of care or supervision by the child's
9 parents, legal custodians, or persons serving in loco parentis. If the
10 investigation reveals that a crime against a child may have been
11 committed, the department shall notify the appropriate law enforcement
12 agency.

13 (4) The department or supervising agencies shall offer, on a
14 voluntary basis, family reconciliation services to families who are in
15 conflict.

16 (5) The department or supervising agencies shall monitor placements
17 of children in out-of-home care and in-home dependencies to assure the
18 safety, well-being, and quality of care being provided is within the
19 scope of the intent of the legislature as defined in RCW 74.13.010 and
20 74.15.010. Under this section children in out-of-home care and in-home
21 dependencies and their caregivers shall receive a private and
22 individual face-to-face visit each month. The department and the
23 supervising agencies shall randomly select no less than ten percent of
24 the caregivers currently providing care to receive one unannounced
25 face-to-face visit in the caregiver's home per year. No caregiver will
26 receive an unannounced visit through the random selection process for
27 two consecutive years. If the caseworker makes a good faith effort to
28 conduct the unannounced visit to a caregiver and is unable to do so,
29 that month's visit to that caregiver need not be unannounced. The
30 department and supervising agencies are encouraged to group monthly
31 visits to caregivers by geographic area so that in the event an
32 unannounced visit cannot be completed, the caseworker may complete
33 other required monthly visits. The department shall use a method of
34 random selection that does not cause a fiscal impact to the department.

35 The department or supervising agencies shall conduct the monthly
36 visits with children and caregivers to whom it is providing child
37 welfare services.

1 (6) The department and supervising agencies shall have authority to
2 accept custody of children from parents and to accept custody of
3 children from juvenile courts, where authorized to do so under law, to
4 provide child welfare services including placement for adoption, to
5 provide for the routine and necessary medical, dental, and mental
6 health care, or necessary emergency care of the children, and to
7 provide for the physical care of such children and make payment of
8 maintenance costs if needed. Except where required by Public Law 95-
9 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
10 children for adoption from the department shall discriminate on the
11 basis of race, creed, or color when considering applications in their
12 placement for adoption.

13 (7) The department and supervising agency shall have authority to
14 provide temporary shelter to children who have run away from home and
15 who are admitted to crisis residential centers.

16 (8) The department and supervising agency shall have authority to
17 purchase care for children.

18 (9) The department shall establish a children's services advisory
19 committee with sufficient members representing supervising agencies
20 which shall assist the secretary in the development of a partnership
21 plan for utilizing resources of the public and private sectors, and
22 advise on all matters pertaining to child welfare, licensing of child
23 care agencies, adoption, and services related thereto. At least one
24 member shall represent the adoption community.

25 (10)(a) The department and supervising agencies shall ~~((have~~
26 ~~authority to))~~ provide continued extended foster care services to
27 ~~((youth ages eighteen to twenty one years to participate in or~~
28 ~~complete))~~ nonminor dependents who are:

29 (i) Enrolled in a secondary education program or a secondary
30 education equivalency program~~((τ))~~; or

31 (ii) Enrolled and participating in a postsecondary academic or
32 postsecondary vocational education program.

33 (b) Subject to the availability of amounts appropriated for this
34 specific purpose, the department and supervising agencies shall provide
35 continued extended foster care services to nonminor dependents who are:

36 (i) Participating in a program or activity designed to promote
37 employment or remove barriers to employment;

38 (ii) Engaged in employment for eighty hours or more per month; or

1 (iii) Incapable of engaging in any of the activities described in
2 (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a
3 medical condition that is supported by regularly updated information.

4 (c) To be eligible for extended foster care services under this
5 section, the nonminor dependent must have an open dependency proceeding
6 at the time that he or she reaches age eighteen years pursuant to RCW
7 13.34.267, and the nonminor dependent must request extended foster care
8 services before reaching age eighteen years and six months. The
9 nonminor dependent serving a commitment at a juvenile rehabilitation
10 facility when he or she reaches age eighteen years must be released
11 from the commitment before he or she reaches age eighteen years and six
12 months.

13 (d) The department shall develop and implement rules regarding
14 youth eligibility requirements.

15 (11) The department shall have authority to provide adoption
16 support benefits, or relative guardianship subsidies on behalf of youth
17 ages eighteen to twenty-one years who achieved permanency through
18 adoption or a relative guardianship at age sixteen or older and who
19 meet the criteria described in subsection (10) of this section.

20 (12) The department shall refer cases to the division of child
21 support whenever state or federal funds are expended for the care and
22 maintenance of a child, including a child with a developmental
23 disability who is placed as a result of an action under chapter 13.34
24 RCW, unless the department finds that there is good cause not to pursue
25 collection of child support against the parent or parents of the child.
26 Cases involving individuals age eighteen through twenty shall not be
27 referred to the division of child support unless required by federal
28 law.

29 (13) The department and supervising agencies shall have authority
30 within funds appropriated for foster care services to purchase care for
31 Indian children who are in the custody of a federally recognized Indian
32 tribe or tribally licensed child-placing agency pursuant to parental
33 consent, tribal court order, or state juvenile court order; and the
34 purchase of such care shall be subject to the same eligibility
35 standards and rates of support applicable to other children for whom
36 the department purchases care.

37 Notwithstanding any other provision of RCW 13.32A.170 through
38 13.32A.200 and 74.13.032 through 74.13.036, or of this section all

1 services to be provided by the department under subsections (4), (6),
2 and (7) of this section, subject to the limitations of these
3 subsections, may be provided by any program offering such services
4 funded pursuant to Titles II and III of the federal juvenile justice
5 and delinquency prevention act of 1974.

6 (14) Within amounts appropriated for this specific purpose, the
7 supervising agency or department shall provide preventive services to
8 families with children that prevent or shorten the duration of an out-
9 of-home placement.

10 (15) The department and supervising agencies shall have authority
11 to provide independent living services to youths, including individuals
12 who have attained eighteen years of age, and have not attained twenty-
13 one years of age who are or have been in foster care.

14 (16) The department and supervising agencies shall consult at least
15 quarterly with foster parents, including members of the foster parent
16 association of Washington state, for the purpose of receiving
17 information and comment regarding how the department and supervising
18 agencies are performing the duties and meeting the obligations
19 specified in this section and RCW 74.13.250 and 74.13.320 regarding the
20 recruitment of foster homes, reducing foster parent turnover rates,
21 providing effective training for foster parents, and administering a
22 coordinated and comprehensive plan that strengthens services for the
23 protection of children. Consultation shall occur at the regional and
24 statewide levels.

25 (17)(a) The department shall, within current funding levels, place
26 on its public web site a document listing the duties and
27 responsibilities the department has to a child subject to a dependency
28 petition including, but not limited to, the following:

29 (i) Reasonable efforts, including the provision of services, toward
30 reunification of the child with his or her family;

31 (ii) Sibling visits subject to the restrictions in RCW
32 13.34.136(2)(b)(ii);

33 (iii) Parent-child visits;

34 (iv) Statutory preference for placement with a relative or other
35 suitable person, if appropriate; and

36 (v) Statutory preference for an out-of-home placement that allows
37 the child to remain in the same school or school district, if practical
38 and in the child's best interests.

1 (b) The document must be prepared in conjunction with a community-
2 based organization and must be updated as needed.

3 **Sec. 8.** RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are
4 each reenacted and amended to read as follows:

5 (1) The department and supervising agencies shall develop,
6 administer, supervise, and monitor a coordinated and comprehensive plan
7 that establishes, aids, and strengthens services for the protection and
8 care of runaway, dependent, or neglected children.

9 (2) Within available resources, the department and supervising
10 agencies shall recruit an adequate number of prospective adoptive and
11 foster homes, both regular and specialized, i.e. homes for children of
12 ethnic minority, including Indian homes for Indian children, sibling
13 groups, handicapped and emotionally disturbed, teens, pregnant and
14 parenting teens, and the department shall annually report to the
15 governor and the legislature concerning the department's and
16 supervising agency's success in: (a) Meeting the need for adoptive and
17 foster home placements; (b) reducing the foster parent turnover rate;
18 (c) completing home studies for legally free children; and (d)
19 implementing and operating the passport program required by RCW
20 74.13.285. The report shall include a section entitled "Foster Home
21 Turn-Over, Causes and Recommendations."

22 (3) The department shall investigate complaints of any recent act
23 or failure to act on the part of a parent or caretaker that results in
24 death, serious physical or emotional harm, or sexual abuse or
25 exploitation, or that presents an imminent risk of serious harm, and on
26 the basis of the findings of such investigation, offer child welfare
27 services in relation to the problem to such parents, legal custodians,
28 or persons serving in loco parentis, and/or bring the situation to the
29 attention of an appropriate court, or another community agency. An
30 investigation is not required of nonaccidental injuries which are
31 clearly not the result of a lack of care or supervision by the child's
32 parents, legal custodians, or persons serving in loco parentis. If the
33 investigation reveals that a crime against a child may have been
34 committed, the department shall notify the appropriate law enforcement
35 agency.

36 (4) As provided in RCW 26.44.030(11), the department may respond to

1 a report of child abuse or neglect by using the family assessment
2 response.

3 (5) The department or supervising agencies shall offer, on a
4 voluntary basis, family reconciliation services to families who are in
5 conflict.

6 (6) The department or supervising agencies shall monitor placements
7 of children in out-of-home care and in-home dependencies to assure the
8 safety, well-being, and quality of care being provided is within the
9 scope of the intent of the legislature as defined in RCW 74.13.010 and
10 74.15.010. Under this section children in out-of-home care and in-home
11 dependencies and their caregivers shall receive a private and
12 individual face-to-face visit each month. The department and the
13 supervising agencies shall randomly select no less than ten percent of
14 the caregivers currently providing care to receive one unannounced
15 face-to-face visit in the caregiver's home per year. No caregiver will
16 receive an unannounced visit through the random selection process for
17 two consecutive years. If the caseworker makes a good faith effort to
18 conduct the unannounced visit to a caregiver and is unable to do so,
19 that month's visit to that caregiver need not be unannounced. The
20 department and supervising agencies are encouraged to group monthly
21 visits to caregivers by geographic area so that in the event an
22 unannounced visit cannot be completed, the caseworker may complete
23 other required monthly visits. The department shall use a method of
24 random selection that does not cause a fiscal impact to the department.

25 The department or supervising agencies shall conduct the monthly
26 visits with children and caregivers to whom it is providing child
27 welfare services.

28 (7) The department and supervising agencies shall have authority to
29 accept custody of children from parents and to accept custody of
30 children from juvenile courts, where authorized to do so under law, to
31 provide child welfare services including placement for adoption, to
32 provide for the routine and necessary medical, dental, and mental
33 health care, or necessary emergency care of the children, and to
34 provide for the physical care of such children and make payment of
35 maintenance costs if needed. Except where required by Public Law 95-
36 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
37 children for adoption from the department shall discriminate on the

1 basis of race, creed, or color when considering applications in their
2 placement for adoption.

3 (8) The department and supervising agency shall have authority to
4 provide temporary shelter to children who have run away from home and
5 who are admitted to crisis residential centers.

6 (9) The department and supervising agency shall have authority to
7 purchase care for children.

8 (10) The department shall establish a children's services advisory
9 committee with sufficient members representing supervising agencies
10 which shall assist the secretary in the development of a partnership
11 plan for utilizing resources of the public and private sectors, and
12 advise on all matters pertaining to child welfare, licensing of child
13 care agencies, adoption, and services related thereto. At least one
14 member shall represent the adoption community.

15 (11)~~(a)~~ The department and supervising agencies shall ~~((have~~
16 ~~authority to))~~ provide continued extended foster care services to
17 ~~((youth ages eighteen to twenty one years to participate in or~~
18 ~~complete))~~ nonminor dependents who are:

19 (i) Enrolled in a secondary education program or a secondary
20 education equivalency program((τ)); or

21 (ii) Enrolled and participating in a postsecondary academic or
22 postsecondary vocational education program.

23 (b) Subject to the availability of funds appropriated for this
24 specific purpose, the department and supervising agencies shall provide
25 continued extended foster care services to nonminor dependents who are:

26 (i) Participating in a program or activity designed to promote
27 employment or remove barriers to employment;

28 (ii) Engaged in employment for eighty hours or more per month; or

29 (iii) Incapable of engaging in any of the activities described in
30 (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a
31 medical condition that is supported by regularly updated information.

32 (c) To be eligible for extended foster care services under this
33 section, the nonminor dependent must have an open dependency proceeding
34 pursuant to RCW 13.34.267 at the time that he or she reaches age
35 eighteen years, and the nonminor dependent must request extended foster
36 care services before reaching age eighteen years and six months. The
37 nonminor dependent serving a commitment at a juvenile rehabilitation

1 facility when he or she reaches age eighteen years must be released
2 from the commitment before he or she reaches age eighteen years and six
3 months.

4 (d) The department shall develop and implement rules regarding
5 youth eligibility requirements.

6 (12) The department shall have authority to provide adoption
7 support benefits, or relative guardianship subsidies on behalf of youth
8 ages eighteen to twenty-one years who achieved permanency through
9 adoption or a relative guardianship at age sixteen or older and who
10 meet the criteria described in subsection (11) of this section.

11 (13) The department shall refer cases to the division of child
12 support whenever state or federal funds are expended for the care and
13 maintenance of a child, including a child with a developmental
14 disability who is placed as a result of an action under chapter 13.34
15 RCW, unless the department finds that there is good cause not to pursue
16 collection of child support against the parent or parents of the child.
17 Cases involving individuals age eighteen through twenty shall not be
18 referred to the division of child support unless required by federal
19 law.

20 (14) The department and supervising agencies shall have authority
21 within funds appropriated for foster care services to purchase care for
22 Indian children who are in the custody of a federally recognized Indian
23 tribe or tribally licensed child-placing agency pursuant to parental
24 consent, tribal court order, or state juvenile court order; and the
25 purchase of such care shall be subject to the same eligibility
26 standards and rates of support applicable to other children for whom
27 the department purchases care.

28 Notwithstanding any other provision of RCW 13.32A.170 through
29 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
30 services to be provided by the department under subsections (4), (7),
31 and (8) of this section, subject to the limitations of these
32 subsections, may be provided by any program offering such services
33 funded pursuant to Titles II and III of the federal juvenile justice
34 and delinquency prevention act of 1974.

35 (15) Within amounts appropriated for this specific purpose, the
36 supervising agency or department shall provide preventive services to
37 families with children that prevent or shorten the duration of an out-
38 of-home placement.

1 (16) The department and supervising agencies shall have authority
2 to provide independent living services to youths, including individuals
3 who have attained eighteen years of age, and have not attained twenty-
4 one years of age who are or have been in foster care.

5 (17) The department and supervising agencies shall consult at least
6 quarterly with foster parents, including members of the foster parent
7 association of Washington state, for the purpose of receiving
8 information and comment regarding how the department and supervising
9 agencies are performing the duties and meeting the obligations
10 specified in this section and RCW 74.13.250 and 74.13.320 regarding the
11 recruitment of foster homes, reducing foster parent turnover rates,
12 providing effective training for foster parents, and administering a
13 coordinated and comprehensive plan that strengthens services for the
14 protection of children. Consultation shall occur at the regional and
15 statewide levels.

16 (18)(a) The department shall, within current funding levels, place
17 on its public web site a document listing the duties and
18 responsibilities the department has to a child subject to a dependency
19 petition including, but not limited to, the following:

20 (i) Reasonable efforts, including the provision of services, toward
21 reunification of the child with his or her family;

22 (ii) Sibling visits subject to the restrictions in RCW
23 13.34.136(2)(b)(ii);

24 (iii) Parent-child visits;

25 (iv) Statutory preference for placement with a relative or other
26 suitable person, if appropriate; and

27 (v) Statutory preference for an out-of-home placement that allows
28 the child to remain in the same school or school district, if practical
29 and in the child's best interests.

30 (b) The document must be prepared in conjunction with a community-
31 based organization and must be updated as needed.

32 NEW SECTION. **Sec. 9.** This act applies prospectively only and not
33 retroactively. It applies to:

34 (1) Dependency matters that have an open court case on the
35 effective date of this section; and

36 (2) Dependency matters for which a petition is filed on or after
37 the effective date of this section.

1 NEW SECTION. **Sec. 10.** Sections 5 and 7 of this act expire
2 December 1, 2013.

3 NEW SECTION. **Sec. 11.** Sections 6 and 8 of this act take effect
4 December 1, 2013."

5 Correct the title.

--- END ---