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**SUBSTITUTE SENATE BILL 5405**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Murray, Tom, Kohl-Welles, Darneille, Hobbs, Harper, and Frockt)

READ FIRST TIME 02/21/13.

1 AN ACT Relating to extended foster care services; amending RCW  
2 13.34.145, 13.34.267, 74.13.020, and 74.13.031; reenacting and amending  
3 RCW 13.34.030, 74.13.020, and 74.13.031; adding new sections to chapter  
4 13.34 RCW; creating new sections; providing an effective date; and  
5 providing an expiration date.

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

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

12 (2) The legislature also finds that children and adolescents who  
13 are legal dependents of Washington state have experienced significant  
14 trauma and loss, putting them at increased risk for poor life outcomes.  
15 Longitudinal research on the adult functioning of former foster youth  
16 indicates a disproportionate likelihood that youth aging out of foster  
17 care and those who spent several years in care will experience poor  
18 outcomes in a variety of areas, including limited human capital upon  
19 which to build economic security and inability to fully take advantage

1 of secondary and postsecondary educational opportunities, untreated  
2 mental or behavioral health problems, involvement in the criminal  
3 justice and corrections systems, and early parenthood combined with  
4 second-generation child welfare involvement.

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

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

13 For purposes of this chapter:

14 (1) "Abandoned" means when the child's parent, guardian, or other  
15 custodian has expressed, either by statement or conduct, an intent to  
16 forego, for an extended period, parental rights or responsibilities  
17 despite an ability to exercise such rights and responsibilities. If  
18 the court finds that the petitioner has exercised due diligence in  
19 attempting to locate the parent, no contact between the child and the  
20 child's parent, guardian, or other custodian for a period of three  
21 months creates a rebuttable presumption of abandonment, even if there  
22 is no expressed intent to abandon.

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

- 24 (a) Any individual under the age of eighteen years; or
- 25 (b) Any individual age eighteen to twenty-one years who is eligible  
26 to receive and who elects to receive the extended foster care services  
27 authorized under RCW 74.13.031. A youth who remains dependent and who  
28 receives extended foster care services under RCW 74.13.031 shall not be  
29 considered a "child" under any other statute or for any other purpose.

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

1 (4) "Department" means the department of social and health  
2 services.

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

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

8 (a) Has been abandoned;

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

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

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

17 (7) "Developmental disability" means a disability attributable to  
18 intellectual disability, cerebral palsy, epilepsy, autism, or another  
19 neurological or other condition of an individual found by the secretary  
20 to be closely related to an intellectual disability or to require  
21 treatment similar to that required for individuals with intellectual  
22 disabilities, which disability originates before the individual attains  
23 age eighteen, which has continued or can be expected to continue  
24 indefinitely, and which constitutes a substantial limitation to the  
25 individual.

26 (8) "Extended foster care services" means residential and other  
27 support services the department is authorized to provide under RCW  
28 74.13.031. These services may include placement in licensed, relative,  
29 or otherwise approved care, or supervised independent living settings;  
30 assistance in meeting basic needs; independent living services; medical  
31 assistance; and counseling or treatment.

32 (9) "Guardian" means the person or agency that: (a) Has been  
33 appointed as the guardian of a child in a legal proceeding, including  
34 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the  
35 legal right to custody of the child pursuant to such appointment. The  
36 term "guardian" does not include a "dependency guardian" appointed  
37 pursuant to a proceeding under this chapter.

1 (10) "Guardian ad litem" means a person, appointed by the court to  
2 represent the best interests of a child in a proceeding under this  
3 chapter, or in any matter which may be consolidated with a proceeding  
4 under this chapter. A "court-appointed special advocate" appointed by  
5 the court to be the guardian ad litem for the child, or to perform  
6 substantially the same duties and functions as a guardian ad litem,  
7 shall be deemed to be guardian ad litem for all purposes and uses of  
8 this chapter.

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

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

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

25 (a) Receiving one of the following types of public assistance:  
26 Temporary assistance for needy families, aged, blind, or disabled  
27 assistance benefits, medical care services under RCW 74.09.035,  
28 pregnant women assistance benefits, poverty-related veterans' benefits,  
29 food stamps or food stamp benefits transferred electronically, refugee  
30 resettlement benefits, medicaid, or supplemental security income; or

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

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

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

37 (14) "Out-of-home care" means placement in a foster family home or

1 group care facility licensed pursuant to chapter 74.15 RCW or placement  
2 in a home, other than that of the child's parent, guardian, or legal  
3 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

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

8 (16) "Shelter care" means temporary physical care in a facility  
9 licensed pursuant to RCW 74.15.030 or in a home not required to be  
10 licensed pursuant to RCW 74.15.030.

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

15 (18) "Social study" means a written evaluation of matters relevant  
16 to the disposition of the case and shall contain the following  
17 information:

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

20 (b) A description of the specific services and activities, for both  
21 the parents and child, that are needed in order to prevent serious harm  
22 to the child; the reasons why such services and activities are likely  
23 to be useful; the availability of any proposed services; and the  
24 agency's overall plan for ensuring that the services will be delivered.  
25 The description shall identify the services chosen and approved by the  
26 parent;

27 (c) If removal is recommended, a full description of the reasons  
28 why the child cannot be protected adequately in the home, including a  
29 description of any previous efforts to work with the parents and the  
30 child in the home; the in-home treatment programs that have been  
31 considered and rejected; the preventive services, including housing  
32 assistance, that have been offered or provided and have failed to  
33 prevent the need for out-of-home placement, unless the health, safety,  
34 and welfare of the child cannot be protected adequately in the home;  
35 and the parents' attitude toward placement of the child;

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

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

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

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

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

18 (21) "Nonminor dependent" means any individual age eighteen to  
19 twenty-one years for whom there was an open dependency proceeding at  
20 the time that he or she reached the age of eighteen years, or who is  
21 released from the juvenile rehabilitation administration and had an  
22 open dependency proceeding at the time of his or her commitment, who  
23 meets the eligibility requirements for extended foster care services  
24 authorized under RCW 74.13.031, and who has a current voluntary  
25 placement agreement in effect.

26 (22) "Supervised independent living" includes, but is not limited  
27 to, apartment living, room and board arrangements, college or  
28 university dormitories, and shared roommate settings.

29 (23) "Voluntary placement agreement" means, for the purposes of  
30 extended foster care services, a written voluntary agreement between a  
31 youth who is a former dependent foster child between the ages of  
32 eighteen and twenty-one who agrees to submit to placement in the care  
33 and authority of the department for purposes of participating in the  
34 extended foster care program.

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

37 (1) The purpose of a permanency planning hearing is to review the

1 permanency plan for the child, inquire into the welfare of the child  
2 and progress of the case, and reach decisions regarding the permanent  
3 placement of the child.

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

10 (b) Whenever a child is removed from the home of a dependency  
11 guardian or long-term relative or foster care provider, and the child  
12 is not returned to the home of the parent, guardian, or legal custodian  
13 but is placed in out-of-home care, a permanency planning hearing shall  
14 take place no later than twelve months, as provided in this section,  
15 following the date of removal unless, prior to the hearing, the child  
16 returns to the home of the dependency guardian or long-term care  
17 provider, the child is placed in the home of the parent, guardian, or  
18 legal custodian, an adoption decree, guardianship order, or a permanent  
19 custody order is entered, or the dependency is dismissed. Every effort  
20 shall be made to provide stability in long-term placement, and to avoid  
21 disruption of placement, unless the child is being returned home or it  
22 is in the best interest of the child.

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

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

34 (3) When the youth is at least age seventeen years but not older  
35 than seventeen years and six months, the department shall provide the  
36 youth with written documentation which explains the availability of  
37 extended foster care services and detailed instructions regarding how

1 the youth may access such services after he or she reaches age eighteen  
2 years.

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

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

9 (b) In cases where the primary permanency planning goal has not  
10 been achieved, the court shall inquire regarding the reasons why the  
11 primary goal has not been achieved and determine what needs to be done  
12 to make it possible to achieve the primary goal. The court shall  
13 review the permanency plan prepared by the agency and make explicit  
14 findings regarding each of the following:

15 (i) The continuing necessity for, and the safety and  
16 appropriateness of, the placement;

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

20 (iii) The extent of any efforts to involve appropriate service  
21 providers in addition to department or supervising agency staff in  
22 planning to meet the special needs of the child and the child's  
23 parents;

24 (iv) The progress toward eliminating the causes for the child's  
25 placement outside of his or her home and toward returning the child  
26 safely to his or her home or obtaining a permanent placement for the  
27 child;

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

31 (vi) If the child has been placed outside of his or her home for  
32 fifteen of the most recent twenty-two months, not including any period  
33 during which the child was a runaway from the out-of-home placement or  
34 the first six months of any period during which the child was returned  
35 to his or her home for a trial home visit, the appropriateness of the  
36 permanency plan, whether reasonable efforts were made by the department  
37 or supervising agency to achieve the goal of the permanency plan, and  
38 the circumstances which prevent the child from any of the following:



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

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

4 (C) Being placed for adoption;

5 (D) Being placed with a guardian;

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

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

10 At this hearing, the court shall order the department or  
11 supervising agency to file a petition seeking termination of parental  
12 rights if the child has been in out-of-home care for fifteen of the  
13 last twenty-two months since the date the dependency petition was filed  
14 unless the court makes a good cause exception as to why the filing of  
15 a termination of parental rights petition is not appropriate. Any good  
16 cause finding shall be reviewed at all subsequent hearings pertaining  
17 to the child. For purposes of this section, "good cause exception"  
18 includes but is not limited to the following: The child is being cared  
19 for by a relative; the department has not provided to the child's  
20 family such services as the court and the department have deemed  
21 necessary for the child's safe return home; or the department has  
22 documented in the case plan a compelling reason for determining that  
23 filing a petition to terminate parental rights would not be in the  
24 child's best interests.

25 (c)(i) If the permanency plan identifies independent living as a  
26 goal, the court shall make a finding that the provision of services to  
27 assist the child in making a transition from foster care to independent  
28 living will allow the child to manage his or her financial, personal,  
29 social, educational, and nonfinancial affairs prior to approving  
30 independent living as a permanency plan of care. The court will  
31 inquire whether the child has been provided information about extended  
32 foster care services.

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

37 (iii) The department or supervising agency shall not discharge a

1 child to an independent living situation before the child is eighteen  
2 years of age unless the child becomes emancipated pursuant to chapter  
3 13.64 RCW.

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

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

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

14 ~~((4))~~ (5) In all cases, at the permanency planning hearing, the  
15 court shall:

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

18 (ii) Modify the permanency plan, and order implementation of the  
19 modified plan; and

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

22 (ii) Order the child to remain in out-of-home care for a limited  
23 specified time period while efforts are made to implement the  
24 permanency plan.

25 ~~((5))~~ (6) Following the first permanency planning hearing, the  
26 court shall hold a further permanency planning hearing in accordance  
27 with this section at least once every twelve months until a permanency  
28 planning goal is achieved or the dependency is dismissed, whichever  
29 occurs first.

30 ~~((6))~~ (7) Prior to the second permanency planning hearing, the  
31 agency that has custody of the child shall consider whether to file a  
32 petition for termination of parental rights.

33 ~~((7))~~ (8) If the court orders the child returned home, casework  
34 supervision by the department or supervising agency shall continue for  
35 at least six months, at which time a review hearing shall be held  
36 pursuant to RCW 13.34.138, and the court shall determine the need for  
37 continued intervention.

1        ~~((+8+))~~ (9) The juvenile court may hear a petition for permanent  
2 legal custody when: (a) The court has ordered implementation of a  
3 permanency plan that includes permanent legal custody; and (b) the  
4 party pursuing the permanent legal custody is the party identified in  
5 the permanency plan as the prospective legal custodian. During the  
6 pendency of such proceeding, the court shall conduct review hearings  
7 and further permanency planning hearings as provided in this chapter.  
8 At the conclusion of the legal guardianship or permanent legal custody  
9 proceeding, a juvenile court hearing shall be held for the purpose of  
10 determining whether dependency should be dismissed. If a guardianship  
11 or permanent custody order has been entered, the dependency shall be  
12 dismissed.

13        ~~((+9+))~~ (10) Continued juvenile court jurisdiction under this  
14 chapter shall not be a barrier to the entry of an order establishing a  
15 legal guardianship or permanent legal custody when the requirements of  
16 subsection ~~((+8+))~~ (9) of this section are met.

17        ~~((+10+))~~ (11) Nothing in this chapter may be construed to limit the  
18 ability of the agency that has custody of the child to file a petition  
19 for termination of parental rights or a guardianship petition at any  
20 time following the establishment of dependency. Upon the filing of  
21 such a petition, a fact-finding hearing shall be scheduled and held in  
22 accordance with this chapter unless the department or supervising  
23 agency requests dismissal of the petition prior to the hearing or  
24 unless the parties enter an agreed order terminating parental rights,  
25 establishing guardianship, or otherwise resolving the matter.

26        ~~((+11+))~~ (12) The approval of a permanency plan that does not  
27 contemplate return of the child to the parent does not relieve the  
28 supervising agency of its obligation to provide reasonable services,  
29 under this chapter, intended to effectuate the return of the child to  
30 the parent, including but not limited to, visitation rights. The court  
31 shall consider the child's relationships with siblings in accordance  
32 with RCW 13.34.130.

33        ~~((+12+))~~ (13) Nothing in this chapter may be construed to limit the  
34 procedural due process rights of any party in a termination or  
35 guardianship proceeding filed under this chapter.

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

1 (1) In order to facilitate the delivery of extended foster care  
2 services, the court, upon agreement of the youth who is the subject of  
3 the proceeding, shall ~~((postpone for six months the dismissal of a))~~  
4 maintain the dependency proceeding for any ~~((child))~~ youth who is a  
5 dependent child in foster care at the age of eighteen years and who, at  
6 the time of his or her eighteenth birthday, is:

7 (a) Enrolled in a secondary education program or a secondary  
8 education equivalency program; ~~((or))~~

9 (b) Enrolled and participating in a postsecondary academic or  
10 postsecondary vocational program, or has applied for and can  
11 demonstrate that he or she intends to timely enroll in a postsecondary  
12 academic or postsecondary vocational program;

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

15 (d) Engaged in employment for eighty hours or more per month; or

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

19 (2) If the court maintains the dependency proceeding of a youth  
20 pursuant to subsection (1) of this section, the youth is eligible to  
21 receive extended foster care services pursuant to RCW 74.13.031,  
22 subject to the youth's continuing eligibility and agreement to  
23 participate.

24 (3) A youth receiving extended foster care services is a party to  
25 the dependency proceeding. The youth's parent or guardian must be  
26 dismissed from the dependency proceeding when the youth reaches the age  
27 of eighteen.

28 (4) The court shall dismiss the dependency proceeding for any child  
29 who is a dependent child in foster care and who, at the age of eighteen  
30 years, does not meet any of the criteria described in subsection (1)(a)  
31 through (e) of this section or does not agree to participate in the  
32 program.

33 ~~((2)(a) The six month postponement under this subsection is~~  
34 ~~intended to allow a reasonable window of opportunity for an eligible~~  
35 ~~youth who reaches the age of eighteen to request extended foster care~~  
36 ~~services from the department or supervising agency. The court shall~~  
37 ~~dismiss the dependency if the youth:~~

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

3       ~~(ii) Is no longer eligible for extended foster care services under~~  
4 ~~RCW 74.13.031(10) at any point during the six-month period.~~

5       ~~(b) Until the youth requests to participate in the extended foster~~  
6 ~~care program, the department is relieved of any supervisory~~  
7 ~~responsibility for the youth.~~

8       ~~(3) A youth who participates in extended foster care while~~  
9 ~~completing a secondary education or equivalency program may continue to~~  
10 ~~receive extended foster care services for the purpose of participating~~  
11 ~~in a postsecondary academic or postsecondary vocational education~~  
12 ~~program if, at the time the secondary education or equivalency program~~  
13 ~~is completed, the youth has applied to and can demonstrate that he or~~  
14 ~~she intends to timely enroll in a postsecondary academic or vocational~~  
15 ~~education program. The dependency shall be dismissed if the youth~~  
16 ~~fails to timely enroll or continue in the postsecondary program, or~~  
17 ~~reaches age twenty one, whichever is earlier.~~

18       ~~(4) A youth receiving extended foster care services is a party to~~  
19 ~~the dependency proceeding. The youth's parent or guardian shall be~~  
20 ~~dismissed from the dependency proceeding when the youth reaches the age~~  
21 ~~of eighteen years.))~~

22       (5) The court shall order a youth participating in extended foster  
23 care services to be under the placement and care authority of the  
24 department, subject to the youth's continuing agreement to participate  
25 in extended foster care services. The department may establish foster  
26 care rates appropriate to the needs of the youth participating in  
27 extended foster care services.

28       (6) The court shall appoint counsel to represent a youth, as  
29 defined in RCW 13.34.030(2)(b), in dependency proceedings under this  
30 section.

31       (7) The case plan for and delivery of services to a youth receiving  
32 extended foster care services is subject to the review requirements set  
33 forth in RCW 13.34.138 and 13.34.145, and should be applied in a  
34 developmentally appropriate manner, as they relate to youth age  
35 eighteen to twenty-one years. Additionally, the court shall consider:

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

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

1 (c) Whether the current placement is developmentally appropriate  
2 for the youth;

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

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

6 (8) Prior to the review hearing, the youth's attorney shall  
7 indicate whether there are any contested issues and may provide  
8 additional information necessary for the court's review.

9 (9) Upon the request of the youth, or when the youth is no longer  
10 eligible to receive extended foster care services according to rules  
11 adopted by the department, the court shall dismiss the dependency.

12 NEW SECTION. **Sec. 5.** A new section is added to chapter 13.34 RCW  
13 to read as follows:

14 (1) A youth who has reached age eighteen years may request extended  
15 foster care services authorized under RCW 74.13.031 at any time before  
16 he or she reaches the age of nineteen years if on or after the  
17 effective date of this section:

18 (a) The dependency proceeding of the youth is dismissed pursuant to  
19 section 6(2) of this act or because the youth became ineligible for  
20 extended foster care services;

21 (b) The youth is released from the juvenile rehabilitation  
22 administration and, at the time of his or her commitment to the  
23 juvenile rehabilitation administration, had an open dependency case; or

24 (c) The court has dismissed the youth's dependency proceeding  
25 pursuant to section 6(2) of this act.

26 (2)(a) Upon a request for extended foster care services by a youth  
27 pursuant to subsection (1) of this section, a determination that the  
28 youth is eligible for extended foster care services, and the completion  
29 of a voluntary placement agreement, the department shall provide  
30 extended foster care services to the youth.

31 (b) In order to continue receiving extended foster care services  
32 after entering into a voluntary placement agreement with the  
33 department, the youth must agree to the entry of an order of dependency  
34 within one hundred eighty days after the date of the agreement.

35 (3) If the youth, pursuant to subsection (1) of this section,  
36 requests extended foster care services from the department, and the  
37 department declines to enter into a voluntary placement agreement with

1 the youth, the department must document its decision not to enter into  
2 such agreement and file such documentation with the court, stating its  
3 reasons for declining to file a petition. Upon receipt of the  
4 department's documentation, the court shall set a hearing date to  
5 determine whether the youth is eligible for extended foster care  
6 services. The court shall appoint counsel to represent the youth at  
7 such hearing.

8 (4) A youth may enter into a voluntary placement agreement for  
9 extended foster care services only once.

10 NEW SECTION. **Sec. 6.** A new section is added to chapter 13.34 RCW  
11 to read as follows:

12 (1) If, on the effective date of this section, a youth older than  
13 age eighteen years but younger than age eighteen years and six months  
14 has an open dependency proceeding and has not requested extended foster  
15 care services, then the youth is eligible for extended foster care  
16 services if the youth requests such services and he or she meets the  
17 criteria set forth in RCW 13.34.267(1).

18 (2) If the youth does not meet the criteria to receive extended  
19 foster care services or does not request such services under subsection  
20 (1) of this section, the court shall dismiss the dependency proceeding  
21 when the youth reaches age eighteen years and six months.

22 **Sec. 7.** RCW 74.13.020 and 2012 c 205 s 12 are each amended to read  
23 as follows:

24 For purposes of this chapter:

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

34 (2) "Child" means:

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

1 (b) A person age eighteen to twenty-one years who is eligible to  
2 receive the extended foster care services authorized under RCW  
3 74.13.031.

4 (3) "Child protective services" has the same meaning as in RCW  
5 26.44.020.

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

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

13 (b) Protecting and caring for dependent, abused, or neglected  
14 children;

15 (c) Assisting children who are in conflict with their parents, and  
16 assisting parents who are in conflict with their children, with  
17 services designed to resolve such conflicts;

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

20 (e) Providing adequate care of children away from their homes in  
21 foster family homes or day care or other child care agencies or  
22 facilities.

23 "Child welfare services" does not include child protection  
24 services.

25 (5) "Committee" means the child welfare transformation design  
26 committee.

27 (6) "Department" means the department of social and health  
28 services.

29 (7) "Extended foster care services" means residential and other  
30 support services the department is authorized to provide to foster  
31 children. These services may include(~~(, but are not limited to,)~~)  
32 placement in licensed, relative, or otherwise approved care, or  
33 supervised independent living settings; assistance in meeting basic  
34 needs; independent living services; medical assistance; and counseling  
35 or treatment.

36 (8) "Measurable effects" means a statistically significant change  
37 which occurs as a result of the service or services a supervising



1 agency is assigned in a performance-based contract, in time periods  
2 established in the contract.

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

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

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

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

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

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

35 (15) "Nonminor dependent" means any individual age eighteen to  
36 twenty-one years for whom there was an open dependency proceeding at  
37 the time that he or she reached the age of eighteen years, or who is  
38 released from the juvenile rehabilitation administration and had an

1 open dependency proceeding at the time of his or her commitment, who  
2 meets the eligibility requirements for extended foster care services  
3 authorized under RCW 74.13.031, and who has a current voluntary  
4 placement agreement in effect.

5 (16) "Supervised independent living" includes, but is not limited  
6 to, apartment living, room and board arrangements, college or  
7 university dormitories, and shared roommate settings.

8 **Sec. 8.** RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are  
9 each reenacted and amended to read as follows:

10 For purposes of this chapter:

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

20 (2) "Child" means:

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

22 (b) A person age eighteen to twenty-one years who is eligible to  
23 receive the extended foster care services authorized under RCW  
24 74.13.031.

25 (3) "Child protective services" has the same meaning as in RCW  
26 26.44.020.

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

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

34 (b) Protecting and caring for dependent, abused, or neglected  
35 children;

36 (c) Assisting children who are in conflict with their parents, and

1 assisting parents who are in conflict with their children, with  
2 services designed to resolve such conflicts;

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

5 (e) Providing adequate care of children away from their homes in  
6 foster family homes or day care or other child care agencies or  
7 facilities.

8 "Child welfare services" does not include child protection  
9 services.

10 (5) "Committee" means the child welfare transformation design  
11 committee.

12 (6) "Department" means the department of social and health  
13 services.

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

21 (8) "Family assessment" means a comprehensive assessment of child  
22 safety, risk of subsequent child abuse or neglect, and family strengths  
23 and needs that is applied to a child abuse or neglect report. Family  
24 assessment does not include a determination as to whether child abuse  
25 or neglect occurred, but does determine the need for services to  
26 address the safety of the child and the risk of subsequent  
27 maltreatment.

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

32 (10) "Out-of-home care services" means services provided after the  
33 shelter care hearing to or for children in out-of-home care, as that  
34 term is defined in RCW 13.34.030, and their families, including the  
35 recruitment, training, and management of foster parents, the  
36 recruitment of adoptive families, and the facilitation of the adoption  
37 process, family reunification, independent living, emergency shelter,  
38 residential group care, and foster care, including relative placement.

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

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

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

15 (14) "Supervising agency" means an agency licensed by the state  
16 under RCW 74.15.090, or licensed by a federally recognized Indian tribe  
17 located in this state under RCW 74.15.190, that has entered into a  
18 performance-based contract with the department to provide case  
19 management for the delivery and documentation of child welfare  
20 services, as defined in this section. This definition is applicable on  
21 or after December 30, 2015.

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

26 (16) "Nonminor dependent" means any individual age eighteen to  
27 twenty-one years for whom there was an open dependency proceeding at  
28 the time that he or she reached the age of eighteen years, or who is  
29 released from the juvenile rehabilitation administration and had an  
30 open dependency proceeding at the time of his or her commitment, who  
31 meets the eligibility requirements for extended foster care services  
32 authorized under RCW 74.13.031, and who has a current voluntary  
33 placement agreement in effect.

34 (17) "Supervised independent living" includes, but is not limited  
35 to, apartment living, room and board arrangements, college or  
36 university dormitories, and shared roommate settings.

1       **Sec. 9.** RCW 74.13.031 and 2012 c 52 s 2 are each amended to read  
2 as follows:

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

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

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

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

37       (5) The department or supervising agencies shall monitor placements  
38 of children in out-of-home care and in-home dependencies to assure the

1 safety, well-being, and quality of care being provided is within the  
2 scope of the intent of the legislature as defined in RCW 74.13.010 and  
3 74.15.010. Under this section children in out-of-home care and in-home  
4 dependencies and their caregivers shall receive a private and  
5 individual face-to-face visit each month. The department and the  
6 supervising agencies shall randomly select no less than ten percent of  
7 the caregivers currently providing care to receive one unannounced  
8 face-to-face visit in the caregiver's home per year. No caregiver will  
9 receive an unannounced visit through the random selection process for  
10 two consecutive years. If the caseworker makes a good faith effort to  
11 conduct the unannounced visit to a caregiver and is unable to do so,  
12 that month's visit to that caregiver need not be unannounced. The  
13 department and supervising agencies are encouraged to group monthly  
14 visits to caregivers by geographic area so that in the event an  
15 unannounced visit cannot be completed, the caseworker may complete  
16 other required monthly visits. The department shall use a method of  
17 random selection that does not cause a fiscal impact to the department.

18 The department or supervising agencies shall conduct the monthly  
19 visits with children and caregivers to whom it is providing child  
20 welfare services.

21 (6) The department and supervising agencies shall have authority to  
22 accept custody of children from parents and to accept custody of  
23 children from juvenile courts, where authorized to do so under law, to  
24 provide child welfare services including placement for adoption, to  
25 provide for the routine and necessary medical, dental, and mental  
26 health care, or necessary emergency care of the children, and to  
27 provide for the physical care of such children and make payment of  
28 maintenance costs if needed. Except where required by Public Law 95-  
29 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives  
30 children for adoption from the department shall discriminate on the  
31 basis of race, creed, or color when considering applications in their  
32 placement for adoption.

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

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

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

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

12 (i) Enrolled in a secondary education program or a secondary  
13 education equivalency program(~~, or~~);

14 (ii) Enrolled and participating in a postsecondary academic or  
15 postsecondary vocational education program;

16 (iii) Participating in a program or activity designed to promote  
17 employment or remove barriers to employment;

18 (iv) Engaged in employment for eighty hours or more per month; or

19 (v) Incapable of engaging in any of the activities described in  
20 (a)(i) through (iv) of this subsection due to a medical condition that  
21 is supported by regularly updated information.

22 (b) The department shall develop and implement rules regarding  
23 youth eligibility requirements.

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

29 (12) The department shall refer cases to the division of child  
30 support whenever state or federal funds are expended for the care and  
31 maintenance of a child, including a child with a developmental  
32 disability who is placed as a result of an action under chapter 13.34  
33 RCW, unless the department finds that there is good cause not to pursue  
34 collection of child support against the parent or parents of the child.  
35 Cases involving individuals age eighteen through twenty shall not be  
36 referred to the division of child support unless required by federal  
37 law.

1 (13) The department and supervising agencies shall have authority  
2 within funds appropriated for foster care services to purchase care for  
3 Indian children who are in the custody of a federally recognized Indian  
4 tribe or tribally licensed child-placing agency pursuant to parental  
5 consent, tribal court order, or state juvenile court order; and the  
6 purchase of such care shall be subject to the same eligibility  
7 standards and rates of support applicable to other children for whom  
8 the department purchases care.

9 Notwithstanding any other provision of RCW 13.32A.170 through  
10 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
11 services to be provided by the department under subsections (4), (6),  
12 and (7) of this section, subject to the limitations of these  
13 subsections, may be provided by any program offering such services  
14 funded pursuant to Titles II and III of the federal juvenile justice  
15 and delinquency prevention act of 1974.

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

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

24 (16) The department and supervising agencies shall consult at least  
25 quarterly with foster parents, including members of the foster parent  
26 association of Washington state, for the purpose of receiving  
27 information and comment regarding how the department and supervising  
28 agencies are performing the duties and meeting the obligations  
29 specified in this section and RCW 74.13.250 and 74.13.320 regarding the  
30 recruitment of foster homes, reducing foster parent turnover rates,  
31 providing effective training for foster parents, and administering a  
32 coordinated and comprehensive plan that strengthens services for the  
33 protection of children. Consultation shall occur at the regional and  
34 statewide levels.

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



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

3 (ii) Sibling visits subject to the restrictions in RCW  
4 13.34.136(2)(b)(ii);

5 (iii) Parent-child visits;

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

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

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

13 **Sec. 10.** RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are  
14 each reenacted and amended to read as follows:

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

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

32 (3) The department shall investigate complaints of any recent act  
33 or failure to act on the part of a parent or caretaker that results in  
34 death, serious physical or emotional harm, or sexual abuse or  
35 exploitation, or that presents an imminent risk of serious harm, and on  
36 the basis of the findings of such investigation, offer child welfare  
37 services in relation to the problem to such parents, legal custodians,

1 or persons serving in loco parentis, and/or bring the situation to the  
2 attention of an appropriate court, or another community agency. An  
3 investigation is not required of nonaccidental injuries which are  
4 clearly not the result of a lack of care or supervision by the child's  
5 parents, legal custodians, or persons serving in loco parentis. If the  
6 investigation reveals that a crime against a child may have been  
7 committed, the department shall notify the appropriate law enforcement  
8 agency.

9 (4) As provided in RCW 26.44.030(11), the department may respond to  
10 a report of child abuse or neglect by using the family assessment  
11 response.

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

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

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

37 (7) The department and supervising agencies shall have authority to  
38 accept custody of children from parents and to accept custody of

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

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

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

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

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

27 (i) Enrolled in a secondary education program or a secondary  
28 education equivalency program~~((, or))~~;

29 (ii) Enrolled and participating in a postsecondary academic or  
30 postsecondary vocational education program;

31 (iii) Participating in a program or activity designed to promote  
32 employment or remove barriers to employment;

33 (iv) Engaged in employment for eighty hours or more per month; or

34 (v) Incapable of engaging in any of the activities described in  
35 (a)(i) through (iv) of this subsection due to a medical condition that  
36 is supported by regularly updated information.

37 (b) The department shall develop and implement rules regarding  
38 youth eligibility requirements.

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

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

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

23 Notwithstanding any other provision of RCW 13.32A.170 through  
24 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
25 services to be provided by the department under subsections (4), (7),  
26 and (8) of this section, subject to the limitations of these  
27 subsections, may be provided by any program offering such services  
28 funded pursuant to Titles II and III of the federal juvenile justice  
29 and delinquency prevention act of 1974.

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

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

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

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

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

18 (ii) Sibling visits subject to the restrictions in RCW  
19 13.34.136(2)(b)(ii);

20 (iii) Parent-child visits;

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

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

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

28 NEW SECTION. **Sec. 11.** This act applies prospectively only and not  
29 retroactively. It applies to:

30 (1) Dependency matters that have an open court case on the  
31 effective date of this section;

32 (2) Voluntary placement agreements entered into on or after the  
33 effective date of this section; and

34 (3) Dependency matters for which a petition is filed on or after  
35 the effective date of this section.

1        NEW SECTION.    **Sec. 12.**    Sections 7 and 9 of this act expire  
2    December 1, 2013.

3        NEW SECTION.    **Sec. 13.**    Sections 8 and 10 of this act take effect  
4    December 1, 2013.

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