
SECOND SUBSTITUTE SENATE BILL 5405

State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Murray, Tom, Kohl-Welles, Darneille, Hobbs, Harper, and Frockt)

READ FIRST TIME 03/01/13.

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) Subject to the availability of amounts appropriated for this
35 specific purpose, when the youth is at least age seventeen years but
36 not older than seventeen years and six months, the department shall
37 provide the youth with written documentation which explains the

1 availability of extended foster care services and detailed instructions
2 regarding how the youth may access such services after he or she
3 reaches age eighteen years.

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

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

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

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

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

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

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

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

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

1 or supervising agency to achieve the goal of the permanency plan, and
2 the circumstances which prevent the child from any of the following:

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

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

6 (C) Being placed for adoption;

7 (D) Being placed with a guardian;

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

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

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

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

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

1 (iii) The department or supervising agency shall not discharge a
2 child to an independent living situation before the child is eighteen
3 years of age unless the child becomes emancipated pursuant to chapter
4 13.64 RCW.

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

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

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

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

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

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

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

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

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

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

34 ~~((7))~~ (8) If the court orders the child returned home, casework
35 supervision by the department or supervising agency shall continue for
36 at least six months, at which time a review hearing shall be held
37 pursuant to RCW 13.34.138, and the court shall determine the need for
38 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 ~~((a)) The six month postponement under this subsection is~~
14 ~~intended to allow a reasonable window of opportunity for an eligible~~
15 ~~youth who reaches the age of eighteen to request extended foster care~~
16 ~~services from the department or supervising agency. The court shall~~
17 ~~dismiss the dependency if the youth:~~

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

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

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

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

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

1 (5)) In addition to the youth provided extended foster care
2 services under subsection (1)(a) or (b) of this section, the department
3 may extend services, to the extent funds are specifically appropriated
4 for this purpose, to youth who:

5 (a) Participate in a program or activity designed to promote
6 employment or remove barriers to employment;

7 (b) Engage in employment for eighty hours or more per month; or

8 (c) Are incapable of engaging in any of the activities described in
9 subsection (1)(a) or (b) of this section or (a) or (b) of this
10 subsection due to a medical condition that is supported by regularly
11 updated information.

12 (3) If the court maintains the dependency proceeding of a youth
13 pursuant to subsection (1) of this section, the youth is eligible to
14 receive extended foster care services pursuant to RCW 74.13.031,
15 subject to the youth's continuing eligibility and agreement to
16 participate. If the court maintains the dependency proceeding of a
17 youth pursuant to subsection (2) of this section, the youth may be
18 eligible to receive extended foster care services pursuant to RCW
19 74.13.031 to the extent funds are specifically appropriated for this
20 purpose and subject to the youth's continuing eligibility and agreement
21 to participate.

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

26 (5) The court shall dismiss the dependency proceeding for any child
27 who is a dependent child in foster care and who, at the age of eighteen
28 years, does not meet any of the criteria described in subsection (1)(a)
29 or (b) of this section or does not agree to participate in the program.
30 The court shall also dismiss the dependency proceeding for any child
31 who is a dependent child in foster care and who, at the age of eighteen
32 years, does not meet any of the criteria described in subsection (2)(a)
33 through (c) of this section, does not agree to participate in the
34 program, or if services are not available due to funding not being
35 appropriated specifically for this purpose.

36 (6) The court shall order a youth participating in extended foster
37 care services to be under the placement and care authority of the
38 department, subject to the youth's continuing agreement to participate

1 in extended foster care services. The department may establish foster
2 care rates appropriate to the needs of the youth participating in
3 extended foster care services.

4 ((+6+)) (7) The court shall appoint counsel to represent a youth,
5 as defined in RCW 13.34.030(2)(b), in dependency proceedings under this
6 section.

7 ((+7+)) (8) The case plan for and delivery of services to a youth
8 receiving extended foster care services is subject to the review
9 requirements set forth in RCW 13.34.138 and 13.34.145, and should be
10 applied in a developmentally appropriate manner, as they relate to
11 youth age eighteen to twenty-one years. Additionally, the court shall
12 consider:

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

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

16 (c) Whether the current placement is developmentally appropriate
17 for the youth;

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

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

21 ((+8+)) (9) Prior to the review hearing, the youth's attorney shall
22 indicate whether there are any contested issues and may provide
23 additional information necessary for the court's review.

24 ((+9+)) (10) Upon the request of the youth, or when the youth is no
25 longer eligible to receive extended foster care services according to
26 rules adopted by the department, the court shall dismiss the
27 dependency.

28 NEW SECTION. Sec. 5. A new section is added to chapter 13.34 RCW
29 to read as follows:

30 (1) A youth who has reached age eighteen years may request extended
31 foster care services authorized under RCW 74.13.031 at any time before
32 he or she reaches the age of eighteen years and six months if on or
33 after the effective date of this section:

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

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

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

6 (2)(a) Upon a request for extended foster care services by a youth
7 pursuant to subsection (1) of this section, a determination that the
8 youth is eligible for extended foster care services, and the completion
9 of a voluntary placement agreement, the department shall provide
10 extended foster care services to the youth.

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

15 (3) If the youth, pursuant to subsection (1) of this section,
16 requests extended foster care services from the department, and the
17 department declines to enter into a voluntary placement agreement with
18 the youth, the department must document its decision not to enter into
19 such agreement and file such documentation with the court, stating its
20 reasons for declining to file a petition. Upon receipt of the
21 department's documentation, the court shall set a hearing date to
22 determine whether the youth is eligible for extended foster care
23 services. The court shall appoint counsel to represent the youth at
24 such hearing.

25 (4) A youth may enter into a voluntary placement agreement for
26 extended foster care services only once. A youth may transition among
27 the eligibility categories identified in RCW 13.34.267(1) while under
28 the same voluntary placement agreement, provided that the youth remains
29 eligible for extended foster care services during the transition.

30 (5) This section is subject to the availability of amounts
31 appropriated for this specific purpose.

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

34 (1) If, on the effective date of this section, a youth older than
35 age eighteen years but younger than age eighteen years and six months
36 has an open dependency proceeding and has not requested extended foster

1 care services, then the youth is eligible for extended foster care
2 services if the youth requests such services and he or she meets the
3 criteria set forth in RCW 13.34.267(1).

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

8 (3) This section is subject to the availability of amounts
9 appropriated for this specific purpose.

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

12 For purposes of this chapter:

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

22 (2) "Child" means:

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

24 (b) A person age eighteen to twenty-one years who is eligible to
25 receive the extended foster care services authorized under RCW
26 74.13.031.

27 (3) "Child protective services" has the same meaning as in RCW
28 26.44.020.

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

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

36 (b) Protecting and caring for dependent, abused, or neglected
37 children;

1 (c) Assisting children who are in conflict with their parents, and
2 assisting parents who are in conflict with their children, with
3 services designed to resolve such conflicts;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 For purposes of this chapter:

34 (1) "Case management" means convening family meetings, developing,
35 revising, and monitoring implementation of any case plan or individual
36 service and safety plan, coordinating and monitoring services needed by
37 the child and family, caseworker-child visits, family visits, and the

1 assumption of court-related duties, excluding legal representation,
2 including preparing court reports, attending judicial hearings and
3 permanency hearings, and ensuring that the child is progressing toward
4 permanency within state and federal mandates, including the Indian
5 child welfare act.

6 (2) "Child" means:

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

8 (b) A person age eighteen to twenty-one years who is eligible to
9 receive the extended foster care services authorized under RCW
10 74.13.031.

11 (3) "Child protective services" has the same meaning as in RCW
12 26.44.020.

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

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

20 (b) Protecting and caring for dependent, abused, or neglected
21 children;

22 (c) Assisting children who are in conflict with their parents, and
23 assisting parents who are in conflict with their children, with
24 services designed to resolve such conflicts;

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

27 (e) Providing adequate care of children away from their homes in
28 foster family homes or day care or other child care agencies or
29 facilities.

30 "Child welfare services" does not include child protection
31 services.

32 (5) "Committee" means the child welfare transformation design
33 committee.

34 (6) "Department" means the department of social and health
35 services.

36 (7) "Extended foster care services" means residential and other
37 support services the department is authorized to provide to foster
38 children. These services include, but are not limited to, placement in

1 licensed, relative, or otherwise approved care, or supervised
2 independent living settings; assistance in meeting basic needs;
3 independent living services; medical assistance; and counseling or
4 treatment.

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

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

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

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

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

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

37 (14) "Supervising agency" means an agency licensed by the state
38 under RCW 74.15.090, or licensed by a federally recognized Indian tribe

1 located in this state under RCW 74.15.190, that has entered into a
2 performance-based contract with the department to provide case
3 management for the delivery and documentation of child welfare
4 services, as defined in this section. This definition is applicable on
5 or after December 30, 2015.

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

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

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

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

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

27 (2) Within available resources, the department and supervising
28 agencies shall recruit an adequate number of prospective adoptive and
29 foster homes, both regular and specialized, i.e. homes for children of
30 ethnic minority, including Indian homes for Indian children, sibling
31 groups, handicapped and emotionally disturbed, teens, pregnant and
32 parenting teens, and the department shall annually report to the
33 governor and the legislature concerning the department's and
34 supervising agency's success in: (a) Meeting the need for adoptive and
35 foster home placements; (b) reducing the foster parent turnover rate;
36 (c) completing home studies for legally free children; and (d)

1 implementing and operating the passport program required by RCW
2 74.13.285. The report shall include a section entitled "Foster Home
3 Turn-Over, Causes and Recommendations."

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

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

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

1 other required monthly visits. The department shall use a method of
2 random selection that does not cause a fiscal impact to the department.

3 The department or supervising agencies shall conduct the monthly
4 visits with children and caregivers to whom it is providing child
5 welfare services.

6 (6) The department and supervising agencies shall have authority to
7 accept custody of children from parents and to accept custody of
8 children from juvenile courts, where authorized to do so under law, to
9 provide child welfare services including placement for adoption, to
10 provide for the routine and necessary medical, dental, and mental
11 health care, or necessary emergency care of the children, and to
12 provide for the physical care of such children and make payment of
13 maintenance costs if needed. Except where required by Public Law 95-
14 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
15 children for adoption from the department shall discriminate on the
16 basis of race, creed, or color when considering applications in their
17 placement for adoption.

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

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

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

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

34 (i) Enrolled in a secondary education program or a secondary
35 education equivalency program~~((, or))~~;

36 (ii) Enrolled and participating in a postsecondary academic or
37 postsecondary vocational education program;

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

3 (iv) Engaged in employment for eighty hours or more per month; or
4 (v) Incapable of engaging in any of the activities described in
5 (a)(i) through (iv) of this subsection due to a medical condition that
6 is supported by regularly updated information.

7 (b) The department shall develop and implement rules regarding
8 youth eligibility requirements.

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

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

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

31 Notwithstanding any other provision of RCW 13.32A.170 through
32 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
33 services to be provided by the department under subsections (4), (6),
34 and (7) of this section, subject to the limitations of these
35 subsections, may be provided by any program offering such services
36 funded pursuant to Titles II and III of the federal juvenile justice
37 and delinquency prevention act of 1974.

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

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

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

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

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

26 (ii) Sibling visits subject to the restrictions in RCW
27 13.34.136(2)(b)(ii);

28 (iii) Parent-child visits;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (i) Enrolled in a secondary education program or a secondary
15 education equivalency program(~~(, or))~~;

16 (ii) Enrolled and participating in a postsecondary academic or
17 postsecondary vocational education program;

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

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

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

24 (b) The department shall develop and implement rules regarding
25 youth eligibility requirements.

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

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

1 referred to the division of child support unless required by federal
2 law.

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

11 Notwithstanding any other provision of RCW 13.32A.170 through
12 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
13 services to be provided by the department under subsections (4), (7),
14 and (8) of this section, subject to the limitations of these
15 subsections, may be provided by any program offering such services
16 funded pursuant to Titles II and III of the federal juvenile justice
17 and delinquency prevention act of 1974.

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

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

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

37 (18)(a) The department shall, within current funding levels, place

1 on its public web site a document listing the duties and
2 responsibilities the department has to a child subject to a dependency
3 petition including, but not limited to, the following:

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

6 (ii) Sibling visits subject to the restrictions in RCW
7 13.34.136(2)(b)(ii);

8 (iii) Parent-child visits;

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

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

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

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

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

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

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

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

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

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