

# SENATE BILL REPORT

## SB 5404

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As Reported by Senate Committee On:  
Human Services, Mental Health & Housing, February 19, 2015  
Ways & Means, February 26, 2015

**Title:** An act relating to homeless youth prevention and protection.

**Brief Description:** Concerning homeless youth prevention and protection.

**Sponsors:** Senators O'Ban, Darneille, Frockt, Miloscia, Kohl-Welles, McAuliffe, Chase, Pedersen and Conway; by request of Governor Inslee.

**Brief History:**

**Committee Activity:** Human Services, Mental Health & Housing: 1/29/15, 2/19/15 [DPS-WM, DNP, w/oRec].  
Ways & Means: 2/24/15, 2/26/15 [DP2S, DNP, w/oRec].

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Majority Report:** That Substitute Senate Bill No. 5404 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Hargrove.

**Minority Report:** Do not pass.

Signed by Senator Padden.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Darneille, Ranking Minority Member.

**Staff:** Alison Mendiola (786-7444)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 5404 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig, Conway, Fraser, Hasegawa, Hatfield, Hewitt, Kohl-Welles, O'Ban, Parlette, Rolfes and Warnick.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Do not pass.  
Signed by Senator Padden.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Bailey, Becker, Brown and Schoesler.

**Staff:** Julie Murray (786-7711)

**Background:** Programs for Street and Homeless Youth. The Children's Administration of the Department of Social and Health Services (DSHS) administers a number of programs regarding the care of street and homeless youth. For example, there are the following:

- *HOPE Centers.* Hope Centers provide temporary residential placements for street youth under the age of 18. These are homeless youth living on the street or other unsafe locations. Youth may self-refer to a HOPE Center for services. Payment for a HOPE Center bed does not require prior approval and entering a HOPE Center is voluntary. While residing in a HOPE Center, each youth will undergo a comprehensive assessment to include the youth's legal status, a physical examination, a mental health and chemical abuse evaluation, and an educational evaluation of their basic skills, along with any learning disabilities or special needs. The purpose of the assessment is to develop the best plan for the youth. The plan will focus on finding a permanent and stable home for the youth. This plan might include reunifying the youth with the youth's parent(s) or legal guardian and/or getting the youth into a transitional living situation and off the streets; and
- *Crisis Residential Centers (CRC).* CRCs are short-term, semi-secure facilities for runaway youth and adolescents in conflict with their families. Youth cannot remain in a CRC more than 15 consecutive days. Counselors at a CRC, typically in collaboration with a social worker, work with the family to resolve the immediate conflict. Counselors will also help the youth and family develop better ways of dealing with conflict in the future. The goal is to reunite the family and youth wherever possible. The family will also be referred for additional services if other needs are identified. A semi-secure facility is a CRC, or specialized foster family home, operated in a way to reasonably assure that youth placed there will not run away. A secure facility is a CRC center that has locking doors, locking windows, or a secured perimeter, designed and operated to prevent a child from leaving without permission of the facility staff.

The Department of Commerce (Commerce) operates the Independent Youth Housing Program by providing rental assistance and case management for eligible youth who have aged out of the state foster care system. These funds are intended to assist in meeting the state goal of ensuring that all such youth avoid experiencing homelessness by having access to a decent, appropriate, and affordable homes in a healthy, safe environment. Participating youth must meet the following criteria to be eligible for assistance: participants must be at least 18 years of age, must have been a dependent of the state at any time during the four-month period preceding the youth's eighteenth birthday, and must have not yet reached the age of 23. Priority must be given to individuals who were dependents of the state for at least one year.

Home Security Fund. There is a \$40 document recording fee surcharge. The revenue generated supports homeless housing and assistance programs, and the revenue is shared between the county that collected the revenue and the state. The state's share is deposited into the Home Security Fund. Commerce uses these monies to fund a number of homeless housing programs, with at least 45 percent of the state's share set aside for the use of private rental housing payments.

Homeless Families Services Fund. This fund exists within the custody of the State Treasurer and includes a one-time appropriation by the Legislature, private contributions, and all other sources deposited into the fund. Commerce may expend monies from the fund to provide state matching funds for housing-based supportive services for homeless families over a period of at least ten years.

**Summary of Bill (Recommended Second Substitute):** The goal of the Legislature is to reduce and prevent youth and young adult homelessness by increasing and improving priority service areas: (1) stable housing, (2) family reconciliation, (3) permanent connections, (4) education and employment opportunities, and (5) social and emotional wellbeing.

The Office of Homeless Youth Prevention and Protection Programs (Office) is created. The measurable goals of the Office is to measurably decrease the number of homeless youth and young adults, identify the causes of youth homelessness, and measurably increase permanency rates among homeless youth caused by a youth's separation from family or legal guardian. The Office must provide management and oversight of HOPE Centers, crisis residential centers, and street youth services. The Office also gathers data and outcome measures, initiates data-sharing agreements, develops specific recommendations and timelines to address funding, policy, and practice gaps with the state system, and increases system integration and coordinates efforts to prevent state systems from discharging youth into homelessness. An advisory committee must consult with the Office regarding funding, policy, and practice gaps within and among state programs. The Office must be operational no later than January 1, 2016. By December 1, 2016, the Office must submit a report to the Governor and Legislature to inform and provide recommendations regarding funding, policy, and best practices in the five service areas identified.

Other changes made by the Homeless Youth Prevention and Protection Act include the following:

- Regarding HOPE Centers: Commerce must establish HOPE Centers and DSHS licenses them. HOPE Centers notify DSHS when a street youth do not promptly return and DSHS notifies the youth's parents. Before dependent children can stay at a HOPE Center, prior approval by DSHS is necessary;
- Regarding CRCs: Commerce must contract for CRCs and DSHS licenses them. CRCs must record client information into a homeless management information system specified by Commerce. CRCs must notify DSHS if a child leaves without authorization;
- The Home Security Funds appropriated to carry out the enumerated homeless youth activities are not subject to the 45 percent set aside for the use of private rental housing payments;
- The Homeless Families Services Fund is renamed the Washington Youth and Families Fund. Revenue can include appropriations from the Legislature in addition to private

contributions, and all other sources in the fund. Commerce may expend monies from the fund to provide state matching funds for housing-based supportive services for homeless youth and families;

- The Office must establish a statewide training program on homeless youth for criminal justice personnel;
- Commerce's ten-year homeless housing strategic plan is revised to include the reduction in the number of unaccompanied homeless youth; and
- Local governments using document recording surcharge fees must collect data regarding the amount of fees expended on, and number of services provided to, unaccompanied homeless youth.

The Joint Legislature and Audit Review Committee must conduct a review of state-funded programs that serve unaccompanied homeless youth to determine what performance measures exist, what statutory reporting requirements exist, and whether there is reliable data on the ages of youth served, length of stay, and effectiveness of program exit and reentry.

The Office of Superintendent of Public Instruction's biennial report on data of homeless students is expanded to include the number, academic performance, and educational outcomes of identified unaccompanied homeless students enrolled in public schools.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Second Substitute):** The intent section is revised to include that the Act is meant to enhance the work and services to homeless youth and runaway youth under the Becca laws. The goal of the Act includes reducing youth homelessness. The goals of permanent connections and education and employment focus only on young adults. The Office is renamed the Office of Youth Prevention and Protection programs. The advisory committee is comprised of 12 members including two Legislators, one law enforcement representative, and two parent advocates. The members are appointed by the Governor except the Legislators are appointed by the Speaker of the House of Representatives and the President of Senate. Commerce's ten-year plan is amended (RCW 43.185C.040) to include the reduction in the number of unaccompanied homeless youth. Local governments using document recording surcharge fees must collect data regarding the amount of fees expended on, and number of services provided to, unaccompanied homeless youth. The Office of Superintendent of Public Instruction's biennial report on data of homeless students is expanded to include the number, academic performance, and educational outcomes of identified unaccompanied homeless students enrolled in public schools.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES, MENTAL HEALTH & HOUSING COMMITTEE (Recommended First Substitute):** It is the goal of the Legislature to reduce and end youth homelessness and increase family reconciliation.

The measurable goals of the Office are to reduce the number of homeless youth, identify the causes of youth homelessness, measurably increase the family reconciliation rate for homeless youth, and eliminate youth homelessness. Legislators, parent advocates, and law enforcement are added to the advisory committee. The Office must provide an annual report to both the Legislature and the Governor.

The Joint Legislature and Audit Review Committee must conduct a review of state-funded programs that serve unaccompanied homeless youth to determine what performance measures exist, what statutory reporting requirements exist, and whether there is reliable data on the ages of youth served, length of stay, and effectiveness of program exit and reentry.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Human Services, Mental Health & Housing):** PRO: Everyone deserves a place to call home, no one wants to be homeless. People are homeless for economic reasons, mental health issues, or substance abuse. Homelessness should be a rare, brief, and one-time experience. The homeless are no different than anyone else. Homelessness occurs in all corners of Washington and therefore we need a statewide response. The bill moves programs from DSHS to Commerce which makes sense since Commerce provides housing for a wide variety of individuals. Commerce will collaborate with other systems, which results in better outcomes. Moving the programs will take advantage of efficiencies Commerce has developed with contracts, and make it more streamlined and easier for providers to administer the funds. Homeless and formerly homeless youth had a voice in drafting this bill. This bill prevents exiting the system and becoming homeless.

**Persons Testifying (Human Services, Mental Health & Housing):** PRO: First Lady Trudi Inslee; Kurt Miller, Resources for Education and Career Help Center Director; Tricia Raikes, Raikes Foundation; Andi Smith, Governor's Office; Jennifer Strus, DSHS; Dan McConnon, Commerce; Jim Theofelis, Shallamar Campbell, Clayton Hefley, Mockingbird Society; Alice Shobe, Nancy Osborn, Julio Cortes, Alan Willoughby, citizens.

**Staff Summary of Public Testimony on Substitute (Ways & Means):** PRO: The bill implements three strategies to help homeless youth: (1) better systems planning; (2) better contract management; and (3) opening up funding for both families and unaccompanied youth. No one deserves or wants to be homeless. Youth have many reasons for their homelessness – economics, emancipation, substance abuse, or abuse at their home. We need to act to make youth homelessness a brief and infrequent event in a child's life. The bill makes youth homelessness a state priority. Local jurisdictions can not solve this alone and cannot provide adequate services when the homeless population is increasing. Bill will make the programs more data driven. There is a fair amount of overlap with homeless service providers contracted by Commerce and by DSHS; Commerce can more efficiently manage these contracts for the programs transferred from DSHS.

**Persons Testifying (Ways & Means):** PRO: Trudi Inslee, First Lady; Andi Smith, Governor's Office; Trai Williams, The Mockingbird Society; Jim Theofelis, WA Coalition for Homeless Youth Advocacy and The Mockingbird Society; Tedd Kelleher, Commerce.