

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2008

Chapter 208, Laws of 2018

(partial veto)

65th Legislature
2018 Regular Session

CORE STATE SERVICES FOR CHILDREN--BUDGETING

EFFECTIVE DATE: June 7, 2018

Passed by the House March 8, 2018
Yeas 83 Nays 15

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 7, 2018
Yeas 45 Nays 3

CYRUS HABIB

President of the Senate

Approved March 22, 2018 3:40 PM with
the exception of Section 1, which is
vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the
House of Representatives of the
State of Washington, do hereby
certify that the attached is
ENGROSSED HOUSE BILL 2008 as passed
by House of Representatives and the
Senate on the dates hereon set
forth.

BERNARD DEAN

Chief Clerk

FILED

March 26, 2018

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2008

AS AMENDED BY THE SENATE

Passed Legislature - 2018 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By Representatives Kagi, Jinkins, and Senn

Read first time 02/07/17. Referred to Committee on Appropriations.

1 AN ACT Relating to the budgeting process for core state services
2 for children; amending RCW 43.88C.010; adding a new section to
3 chapter 74.13 RCW; adding a new section to chapter 43.88 RCW;
4 creating new sections; and providing expiration dates.

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

6 ***NEW SECTION.** *Sec. 1. The legislature finds that effective*
7 *planning for and implementation of core state services for children*
8 *requires predictability and stability in the budgeting process for*
9 *these services. For these reasons, the legislature intends that costs*
10 *for behavioral rehabilitation services, child protective services*
11 *staff, and contracted visitation services be included in the state*
12 *budgeting process at maintenance level. By implementing consistent*
13 *statewide assessments, forecasting program caseloads, and*
14 *incorporating forecast-based program costs into the maintenance level*
15 *budget, the state can ensure predictable funding levels for this*
16 *program.*

**Sec. 1 was vetoed. See message at end of chapter.*

17 **NEW SECTION.** **Sec. 2.** (1) The children and families services
18 program of the department of social and health services through June
19 30, 2018, and of the department of children, youth, and families

1 effective July 1, 2018, shall facilitate a stakeholder work group in
2 a collaborative effort to design a behavioral rehabilitation services
3 rate payment methodology that is based on actual provider costs of
4 care. The work group may consider the findings of a contracted rate
5 analysis in designing the methodology. By November 30, 2018, and in
6 compliance with RCW 43.01.036, the department of children, youth, and
7 families must submit a report with the final work group findings and
8 recommendations to the appropriate legislative committees.

9 (2) This section expires December 31, 2018.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.13
11 RCW to read as follows:

12 The office of innovation, alignment, and accountability must
13 develop a single validated tool to assess the care needs of foster
14 children. Once the validated tool is available for use on a statewide
15 basis, the department of children, youth, and families must use the
16 tool for assessing the care needs of foster children, including but
17 not limited to whether the department should provide foster children
18 with behavioral rehabilitation services. The department must notify
19 the caseload forecast council, the office of financial management,
20 and the appropriate fiscal committees of the legislature when it
21 begins statewide use of the validated tool.

22 **Sec. 4.** RCW 43.88C.010 and 2015 c 128 s 2 are each amended to
23 read as follows:

24 (1) The caseload forecast council is hereby created. The council
25 shall consist of two individuals appointed by the governor and four
26 individuals, one of whom is appointed by the chairperson of each of
27 the two largest political caucuses in the senate and house of
28 representatives. The chair of the council shall be selected from
29 among the four caucus appointees. The council may select such other
30 officers as the members deem necessary.

31 (2) The council shall employ a caseload forecast supervisor to
32 supervise the preparation of all caseload forecasts. As used in this
33 chapter, "supervisor" means the caseload forecast supervisor.

34 (3) Approval by an affirmative vote of at least five members of
35 the council is required for any decisions regarding employment of the
36 supervisor. Employment of the supervisor shall terminate after each
37 term of three years. At the end of the first year of each three-year
38 term the council shall consider extension of the supervisor's term by

1 one year. The council may fix the compensation of the supervisor. The
2 supervisor shall employ staff sufficient to accomplish the purposes
3 of this section.

4 (4) The caseload forecast council shall oversee the preparation
5 of and approve, by an affirmative vote of at least four members, the
6 official state caseload forecasts prepared under RCW 43.88C.020. If
7 the council is unable to approve a forecast before a date required in
8 RCW 43.88C.020, the supervisor shall submit the forecast without
9 approval and the forecast shall have the same effect as if approved
10 by the council.

11 (5) A councilmember who does not cast an affirmative vote for
12 approval of the official caseload forecast may request, and the
13 supervisor shall provide, an alternative forecast based on
14 assumptions specified by the member.

15 (6) Members of the caseload forecast council shall serve without
16 additional compensation but shall be reimbursed for travel expenses
17 in accordance with RCW 44.04.120 while attending sessions of the
18 council or on official business authorized by the council.
19 Nonlegislative members of the council shall be reimbursed for travel
20 expenses in accordance with RCW 43.03.050 and 43.03.060.

21 (7) "Caseload," as used in this chapter, means:

22 (a) The number of persons expected to meet entitlement
23 requirements and require the services of public assistance programs,
24 state correctional institutions, state correctional noninstitutional
25 supervision, state institutions for juvenile offenders, the common
26 school system, long-term care, medical assistance, foster care, and
27 adoption support;

28 (b) The number of students who are eligible for the Washington
29 college bound scholarship program and are expected to attend an
30 institution of higher education as defined in RCW 28B.92.030;

31 (c) The number of children who are eligible, as defined in RCW
32 (~~43.215.405~~) 43.216.505, to participate in, and the number of
33 children actually served by, the early childhood education and
34 assistance program.

35 (8) The caseload forecast council shall forecast the temporary
36 assistance for needy families and the working connections child care
37 programs as a courtesy.

38 (9) The caseload forecast council shall forecast youth
39 participating in the extended foster care program pursuant to RCW

1 74.13.031 separately from other children who are residing in foster
2 care and who are under eighteen years of age.

3 (10) The caseload forecast council shall forecast the number of
4 youth expected to receive behavioral rehabilitation services while
5 involved in the foster care system and the number of screened in
6 reports of child abuse or neglect.

7 (11) Unless the context clearly requires otherwise, the
8 definitions provided in RCW 43.88.020 apply to this chapter.

9 NEW SECTION. Sec. 5. A new section is added to chapter 43.88
10 RCW to read as follows:

11 For the purposes of this chapter, expenditures for the following
12 foster care, adoption support and related services, and child
13 protective services must be forecasted and budgeted as maintenance
14 level costs:

15 (1) Behavioral rehabilitation services placements;

16 (2) Social worker and related staff to receive, refer, and
17 respond to screened-in reports of child abuse or neglect;

18 (3) Court-ordered parent-child and sibling visitations delivered
19 by contractors; and

20 (4) Those activities currently being treated as maintenance level
21 costs for budgeting or forecasting purposes on the effective date of
22 this section including, but not limited to: (a) Adoption support and
23 other adoption-related expenses; (b) foster care maintenance
24 payments; (c) child-placing agency management fees; (d) support goods
25 such as clothing vouchers; (e) child aides; and (f) child care for
26 children in foster or relative placements when the caregiver is at
27 work or in school.

28 NEW SECTION. Sec. 6. (1) No later than December 1, 2020, the
29 department of children, youth, and families shall report to the
30 appropriate committees of the legislature on the actual and projected
31 funding levels in fiscal years 2019 through 2021 for section 5 (1)
32 through (3) of this act and compare them to expenditures prior to
33 inclusion in the maintenance level forecasting and budgeting process.

34 (2) This section expires January 1, 2021.

35 NEW SECTION. Sec. 7. (1) The department of children, youth, and
36 families shall, as part of its budget request submittal for the
37 2019-2021 biennial operating budget, conduct of a review of the most

1 recent caseload forecast of children in foster care and the
2 availability and capacity of licensed foster homes. The review shall
3 include:

- 4 (a) An analysis of the need for licensed foster homes;
- 5 (b) A listing of support resources available for parents in
6 licensed foster homes; and
- 7 (c) A review of department policies that affect the recruitment
8 and retention of licensed foster homes.

9 A report containing the results of the review shall be submitted
10 to the office of financial management and the appropriate policy and
11 appropriation committees of the legislature no later than October 1,
12 2018.

13 (2) This section expires October 1, 2018.

Passed by the House March 8, 2018.

Passed by the Senate March 7, 2018.

Approved by the Governor March 22, 2018, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 26, 2018.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 1,
Engrossed House Bill No. 2008 entitled:

"AN ACT Relating to the budgeting process for core state
services for children."

Section 1 is a legislative intent section that also makes certain
findings. Statements in this section assume that this bill can ensure
predictable future funding levels for several child welfare programs
and services. As much as I might want that to be true, no bill can
guarantee that adequate funding will always be available for a
specific purpose or can prevent a future Legislature from changing
policies by amending statutes.

For these reasons I have vetoed Section 1 of Engrossed House Bill No.
2008.

With the exception of Section 1, Engrossed House Bill No. 2008 is
approved."

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