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**SENATE BILL 5470**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Kuderer, Zeiger, Darneille, Warnick, Wilson, C., Hasegawa, Keiser, Das, Frockt, and Wellman; by request of Department of Commerce

Read first time 01/22/19. Referred to Committee on Housing Stability & Affordability.

1 AN ACT Relating to services provided by the office of homeless  
2 youth prevention and protection programs; and amending RCW  
3 13.32A.160, 43.185C.010, 43.185C.315, 43.330.700, 43.330.705, and  
4 43.330.710.

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

6 **Sec. 1.** RCW 13.32A.160 and 2000 c 123 s 19 are each amended to  
7 read as follows:

8 (1) When a proper child in need of services petition to approve  
9 an out-of-home placement is filed under RCW 13.32A.120, 13.32A.140,  
10 or 13.32A.150 the juvenile court shall: (a)(i) Schedule a fact-  
11 finding hearing to be held: (A) For a child who resides in a place  
12 other than his or her parent's home and other than an out-of-home  
13 placement, within five calendar days unless the last calendar day is  
14 a Saturday, Sunday, or holiday, in which case the hearing shall be  
15 held on the preceding judicial day; or (B) for a child living at home  
16 or in an out-of-home placement, within ten days; and (ii) notify the  
17 parent, child, and the department of such date; (b) notify the parent  
18 of the right to be represented by counsel and, if indigent, to have  
19 counsel appointed for him or her by the court; (c) appoint legal  
20 counsel for the child; (d) inform the child and his or her parent of  
21 the legal consequences of the court approving or disapproving a child

1 in need of services petition; (e) notify the parents of their rights  
2 under this chapter and chapters 11.88, 13.34, (~~70.96A~~) and 71.34  
3 RCW, including the right to file an at-risk youth petition, the right  
4 to submit an application for admission of their child to a treatment  
5 facility for alcohol, chemical dependency, or mental health  
6 treatment, and the right to file a guardianship petition; and (f)  
7 notify all parties, including the department, of their right to  
8 present evidence at the fact-finding hearing.

9 (2) Upon filing of a child in need of services petition, the  
10 child may be placed, if not already placed, by the department in a  
11 crisis residential center, HOPE center, foster family home, group  
12 home facility licensed under chapter 74.15 RCW, or any other suitable  
13 residence (~~other than a HOPE center~~) to be determined by the  
14 department. The court may place a child in a crisis residential  
15 center for a temporary out-of-home placement as long as the  
16 requirements of RCW 13.32A.125 are met.

17 (3) If the child has been placed in a foster family home or group  
18 care facility under chapter 74.15 RCW, the child shall remain there,  
19 or in any other suitable residence as determined by the department,  
20 pending resolution of the petition by the court. Any placement may be  
21 reviewed by the court within three judicial days upon the request of  
22 the juvenile or the juvenile's parent.

23 **Sec. 2.** RCW 43.185C.010 and 2018 c 85 s 8 are each amended to  
24 read as follows:

25 The definitions in this section apply throughout this chapter  
26 unless the context clearly requires otherwise.

27 (1) "Administrator" means the individual who has the daily  
28 administrative responsibility of a crisis residential center.

29 (2) "Child in need of services petition" means a petition filed  
30 in juvenile court by a parent, child, or the department of (~~social  
31 and health services~~) children, youth, and families seeking  
32 adjudication of placement of the child.

33 (3) "Community action agency" means a nonprofit private or public  
34 organization established under the economic opportunity act of 1964.

35 (4) "Crisis residential center" means a secure or semi-secure  
36 facility established pursuant to chapter 74.13 RCW.

37 (5) "Department" means the department of commerce.

38 (6) "Director" means the director of the department of commerce.

1 (7) "Home security fund account" means the state treasury account  
2 receiving the state's portion of income from revenue from the sources  
3 established by RCW 36.22.179 and 36.22.1791, and all other sources  
4 directed to the homeless housing and assistance program.

5 (8) "Homeless housing grant program" means the vehicle by which  
6 competitive grants are awarded by the department, utilizing moneys  
7 from the home security fund account, to local governments for  
8 programs directly related to housing homeless individuals and  
9 families, addressing the root causes of homelessness, preventing  
10 homelessness, collecting data on homeless individuals, and other  
11 efforts directly related to housing homeless persons.

12 (9) "Homeless housing plan" means the five-year plan developed by  
13 the county or other local government to address housing for homeless  
14 persons.

15 (10) "Homeless housing program" means the program authorized  
16 under this chapter as administered by the department at the state  
17 level and by the local government or its designated subcontractor at  
18 the local level.

19 (11) "Homeless housing strategic plan" means the five-year plan  
20 developed by the department, in consultation with the interagency  
21 council on homelessness, the affordable housing advisory board, and  
22 the state advisory council on homelessness.

23 (12) "Homeless person" means an individual living outside or in a  
24 building not meant for human habitation or which they have no legal  
25 right to occupy, in an emergency shelter, or in a temporary housing  
26 program which may include a transitional and supportive housing  
27 program if habitation time limits exist. This definition includes  
28 substance abusers, people with mental illness, and sex offenders who  
29 are homeless.

30 (13) "HOPE center" means an agency licensed by the secretary of  
31 the department of (~~social and health services~~) children, youth, and  
32 families to provide temporary residential placement and other  
33 services to street youth. A street youth may remain in a HOPE center  
34 for thirty days while services are arranged and permanent placement  
35 is coordinated. No street youth may stay longer than thirty days  
36 unless approved by the department and any additional days approved by  
37 the department must be based on the unavailability of a long-term  
38 placement option. A street youth whose parent wants him or her  
39 returned to home may remain in a HOPE center until his or her parent  
40 arranges return of the youth, not longer. All other street youth must

1 have court approval under chapter 13.34 or 13.32A RCW to remain in a  
2 HOPE center up to thirty days.

3 (14) "Housing authority" means any of the public corporations  
4 created by chapter 35.82 RCW.

5 (15) "Housing continuum" means the progression of individuals  
6 along a housing-focused continuum with homelessness at one end and  
7 homeownership at the other.

8 (16) "Interagency council on homelessness" means a committee  
9 appointed by the governor and consisting of, at least, policy level  
10 representatives of the following entities: (a) The department of  
11 commerce; (b) the department of corrections; (c) the department of  
12 (~~social and health services~~) children, youth, and families; (d) the  
13 department of veterans affairs; and (e) the department of health.

14 (17) "Local government" means a county government in the state of  
15 Washington or a city government, if the legislative authority of the  
16 city affirmatively elects to accept the responsibility for housing  
17 homeless persons within its borders.

18 (18) "Local homeless housing task force" means a voluntary local  
19 committee created to advise a local government on the creation of a  
20 local homeless housing plan and participate in a local homeless  
21 housing program. It must include a representative of the county, a  
22 representative of the largest city located within the county, at  
23 least one homeless or formerly homeless person, such other members as  
24 may be required to maintain eligibility for federal funding related  
25 to housing programs and services and if feasible, a representative of  
26 a private nonprofit organization with experience in low-income  
27 housing.

28 (19) "Long-term private or public housing" means subsidized and  
29 unsubsidized rental or owner-occupied housing in which there is no  
30 established time limit for habitation of less than two years.

31 (20) "Performance measurement" means the process of comparing  
32 specific measures of success against ultimate and interim goals.

33 (21) "Secure facility" means a crisis residential center, or  
34 portion thereof, that has locking doors, locking windows, or a  
35 secured perimeter, designed and operated to prevent a child from  
36 leaving without permission of the facility staff.

37 (22) "Semi-secure facility" means any facility including, but not  
38 limited to, crisis residential centers or specialized foster family  
39 homes, operated in a manner to reasonably assure that youth placed  
40 there will not run away. Pursuant to rules established by the

1 facility administrator, the facility administrator shall establish  
2 reasonable hours for residents to come and go from the facility such  
3 that no residents are free to come and go at all hours of the day and  
4 night. To prevent residents from taking unreasonable actions, the  
5 facility administrator, where appropriate, may condition a resident's  
6 leaving the facility upon the resident being accompanied by the  
7 administrator or the administrator's designee and the resident may be  
8 required to notify the administrator or the administrator's designee  
9 of any intent to leave, his or her intended destination, and the  
10 probable time of his or her return to the center.

11 (23) "Staff secure facility" means a structured group care  
12 facility licensed under rules adopted by the department of (~~social~~  
13 ~~and health services~~) children, youth, and families with a ratio of  
14 at least one adult staff member to every two children.

15 (24) "Street outreach services" means a program that provides  
16 services and resources either directly or through referral to street  
17 youth and unaccompanied young adults as defined in RCW 43.330.702.  
18 Services including crisis intervention, emergency supplies, case  
19 management, and referrals may be provided through community-based  
20 outreach or drop-in centers.

21 (25) "Washington homeless census" means an annual statewide  
22 census conducted as a collaborative effort by towns, cities,  
23 counties, community-based organizations, and state agencies, with the  
24 technical support and coordination of the department, to count and  
25 collect data on all homeless individuals in Washington.

26 (~~(25)~~) (26) "Washington homeless client management information  
27 system" means a database of information about homeless individuals in  
28 the state used to coordinate resources to assist homeless clients to  
29 obtain and retain housing and reach greater levels of self-  
30 sufficiency or economic independence when appropriate, depending upon  
31 their individual situations.

32 **Sec. 3.** RCW 43.185C.315 and 2017 c 277 s 7 are each amended to  
33 read as follows:

34 (1) The department shall establish HOPE centers (~~(that provide no~~  
35 ~~more than seventy-five beds)~~) across the state and may establish HOPE  
36 centers by contract, within funds appropriated by the legislature  
37 specifically for this purpose. HOPE centers shall be operated in a  
38 manner to reasonably assure that street youth placed there will not  
39 run away. Pursuant to rules established by the facility

1 administrator, residents may come and go from the facility at  
2 reasonable hours such that no residents are free to come and go at  
3 all hours of the day and night. The facility administrator, where  
4 appropriate, may condition a resident's leaving the facility upon the  
5 resident being accompanied by the administrator or the  
6 administrator's designee and the resident may be required to notify  
7 the administrator or the administrator's designee of any intent to  
8 leave, his or her intended destination, and the probable time of his  
9 or her return to the HOPE center. Any street youth who runs away from  
10 a HOPE center shall not be readmitted unless specifically authorized  
11 by the street youth's placement and liaison specialist, and the  
12 placement and liaison specialist shall document with specific factual  
13 findings an appropriate basis for readmitting any street youth to a  
14 HOPE center. HOPE centers are required to have the following:

15 (a) A license issued by the department of (~~social and health~~  
16 ~~services~~) children, youth, and families, including staff who meet  
17 licensing qualifications;

18 (b) A (~~professional with a master's degree in counseling, social~~  
19 ~~work, or related field and at least one year of experience working~~  
20 ~~with street youth or a bachelor of arts degree in social work or a~~  
21 ~~related field and five years of experience working with street youth.~~  
22 ~~This professional staff person~~) case manager who may be a  
23 contractual or a part-time employee, but must be available to work  
24 with street youth in a HOPE center at a ratio of one to every fifteen  
25 youth staying in a HOPE center. This (~~professional~~) case manager  
26 shall be known as a placement and liaison specialist. Preference  
27 shall be given to those (~~professionals~~) case managers who have  
28 experience working with adolescents and are cross-credentialed in  
29 mental health and chemical dependency. The placement and liaison  
30 specialist shall:

31 (i) Conduct an assessment of the street youth that includes a  
32 determination of the street youth's legal status regarding  
33 residential placement;

34 (ii) Facilitate the street youth's return to his or her legally  
35 authorized residence at the earliest possible date or initiate  
36 processes to arrange legally authorized appropriate placement. Any  
37 street youth who may meet the definition of dependent child under RCW  
38 13.34.030 must be referred to the department of (~~social and health~~  
39 ~~services~~) children, youth, and families. The department of (~~social~~  
40 ~~and health services~~) children, youth, and families shall determine

1 whether a dependency petition should be filed under chapter 13.34  
2 RCW. A shelter care hearing must be held within seventy-two hours to  
3 authorize out-of-home placement for any youth the department of  
4 (~~social and health services~~) children, youth, and families  
5 determines is appropriate for out-of-home placement under chapter  
6 13.34 RCW. All of the provisions of chapter 13.32A RCW must be  
7 followed for children in need of services or at-risk youth;

8 (iii) Interface with other relevant resources and system  
9 representatives to secure long-term residential placement and other  
10 needed services for the street youth;

11 (iv) Be assigned immediately to each youth and meet with the  
12 youth within eight hours of the youth receiving HOPE center services;

13 (v) Facilitate a physical examination of any street youth who has  
14 not seen a physician within one year prior to residence at a HOPE  
15 center and facilitate evaluation by a county-designated mental health  
16 professional, a chemical dependency specialist, or both if  
17 appropriate; and

18 (vi) Arrange an educational assessment to measure the street  
19 youth's competency level in reading, writing, and basic mathematics,  
20 and that will measure learning disabilities or special needs;

21 (c) Staff trained in development needs of street youth as  
22 determined by the department, including but not limited to an  
23 (~~administrator who is a professional with a master's degree in~~  
24 ~~counseling, social work, or a related field and at least one year of~~  
25 ~~experience working with street youth, or a bachelor of arts degree in~~  
26 ~~social work or a related field and five years of experience working~~  
27 ~~with street youth,)) on-site program manager who must work with the  
28 placement and liaison specialist to provide appropriate services on  
29 site;~~

30 (d) A data collection system that measures outcomes for the  
31 population served, and enables research and evaluation that can be  
32 used for future program development and service delivery. Data  
33 collection systems must have confidentiality rules and protocols  
34 developed by the department;

35 (e) Notification requirements that meet the notification  
36 requirements of chapter 13.32A RCW. The youth's arrival date and time  
37 must be logged at intake by HOPE center staff. The staff must  
38 immediately notify law enforcement and dependency caseworkers if a  
39 street youth runs away from a HOPE center. A child may be transferred  
40 to a secure facility as defined in RCW 13.32A.030 whenever the staff

1 reasonably believes that a street youth is likely to leave the HOPE  
2 center and not return after full consideration of the factors set  
3 forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's  
4 temporary placement in the HOPE center must be authorized by the  
5 court or the secretary of the department of (~~social and health~~  
6 ~~services~~) children, youth, and families if the youth is a dependent  
7 of the state under chapter 13.34 RCW or the department of (~~social~~  
8 ~~and health services~~) children, youth, and families is responsible  
9 for the youth under chapter 13.32A RCW, or by the youth's parent or  
10 legal custodian, until such time as the parent can retrieve the youth  
11 who is returning to home;

12 (f) HOPE centers must identify to the department of (~~social and~~  
13 ~~health services~~) children, youth, and families any street youth it  
14 serves who is not returning promptly to home. The department of  
15 (~~social and health services~~) children, youth, and families then  
16 must contact the missing children's clearinghouse identified in  
17 chapter 13.60 RCW and either report the youth's location or report  
18 that the youth is the subject of a dependency action and the parent  
19 should receive notice from the department of (~~social and health~~  
20 ~~services~~) children, youth, and families; and

21 (g) Services that provide counseling and education to the street  
22 youth.

23 (2) The department shall award contracts for the operation of  
24 HOPE center beds with the goal of facilitating the coordination of  
25 services provided for youth by such programs and those services  
26 provided by secure and semi-secure crisis residential centers.

27 (3) Subject to funds appropriated for this purpose, the  
28 department must incrementally increase the number of available HOPE  
29 beds by at least seventeen beds in fiscal year 2017, at least  
30 seventeen beds in fiscal year 2018, and at least seventeen beds in  
31 fiscal year 2019, such that by July 1, 2019, seventy-five HOPE beds  
32 are established and operated throughout the state as set forth in  
33 subsection (1) of this section.

34 (4) Subject to funds appropriated for this purpose, the beds  
35 available in HOPE centers shall be increased incrementally (~~beyond~~  
36 ~~the limit of seventy-five set forth in subsection (1) of this~~  
37 ~~section~~). The additional capacity shall be distributed around the  
38 state based upon need and, to the extent feasible, shall be  
39 geographically situated so that HOPE beds are available across the  
40 state. In determining the need for increased numbers of HOPE beds in



1 a particular county or counties, one of the considerations should be  
2 the volume of truancy petitions filed there.

3 **Sec. 4.** RCW 43.330.700 and 2015 c 69 s 4 are each amended to  
4 read as follows:

5 (1) The legislature finds that every night thousands of homeless  
6 youth in Washington go to sleep without the safety, stability, and  
7 support of a family or a home. This population is exposed to an  
8 increased level of violence, human trafficking, and exploitation  
9 resulting in a higher incidence of substance abuse, illness, and  
10 death. The prevention and reduction of youth and young adult  
11 homelessness and protection of homeless youth is of key concern to  
12 the state. Nothing in chapter 69, Laws of 2015 is meant to diminish  
13 the work accomplished by the implementation of Becca legislation but  
14 rather, the intent of the legislature is to further enhance the  
15 state's efforts in working with unaccompanied homeless youth and  
16 runaways to encourage family reconciliation or permanent housing and  
17 support through dependency when family reconciliation is not a viable  
18 alternative.

19 (2) Successfully addressing youth and young adult homelessness  
20 ensures that homeless youth and young adults in our state have the  
21 support they need to thrive and avoid involvement in the justice  
22 system, human trafficking, long-term, avoidable use of public  
23 benefits, and extended adult homelessness.

24 (3) Providing appropriate, relevant, and readily accessible  
25 services is critical for addressing one-time, episodic, or longer-  
26 term homelessness among youth and young adults, and keeping homeless  
27 youth and young adults safe, housed, and connected to family.

28 (4) The coordination of statewide programs to combat youth and  
29 young adult homelessness should include programs addressing both  
30 youth and young adults. (~~However, the legislature acknowledges that~~  
31 ~~current law and~~) In some instances, best practices mandate that  
32 youth programs and young adult programs be segregated in their  
33 implementation; however, in other instances, innovative approaches  
34 can ensure the health and safety of both populations while serving  
35 them together, allowing for alignment with federal programs and  
36 funding opportunities, application of adolescent neurodevelopment  
37 research, and maximization of capacity to serve more dispersed  
38 populations in rural areas. The legislature further finds that the

1 differing needs of these populations should be considered when  
2 assessing which programs are relevant and appropriate.

3 (5) To successfully reduce and prevent youth and young adult  
4 homelessness, it is the goal of the legislature to have the following  
5 key components available and accessible:

6 (a) Stable housing: It is the goal of the legislature to provide  
7 a safe and healthy place for homeless youth to sleep each night until  
8 permanency can be reached. Every homeless young adult in our state  
9 deserves access to housing that gives them a safe, healthy, and  
10 supported launching pad to adulthood. Every family in crisis should  
11 have appropriate support as they work to keep their children housed  
12 and safe. It is the goal of the legislature that every homeless youth  
13 discharged from a public system of care in our state will not be  
14 discharged into homelessness.

15 (b) Family reconciliation: All homeless youth should have access  
16 to services that support reunification with immediate family. When  
17 reunification is not possible for homeless youth, youth should be  
18 placed in the custody of the department of (~~social and health~~  
19 ~~services~~) children, youth, and families.

20 (c) Permanent connections: Every homeless young adult should have  
21 opportunities to establish positive, healthy relationships with  
22 adults, including family members, employers, landlords, teachers, and  
23 community members, with whom they can maintain connections and from  
24 whom they can receive ongoing, long-term support to help them develop  
25 the skills and experiences necessary to achieve a successful  
26 transition to adulthood.

27 (d) Education and employment: Every homeless young adult in our  
28 state deserves the opportunity and support they need to complete  
29 their high school education and pursue additional education and  
30 training. It is the goal of the legislature that every homeless young  
31 adult in our state will have the opportunity to engage in employment  
32 training and be able to access employment. With both education and  
33 employment support and opportunities, young adults will have the  
34 skills they need to become self-sufficient, self-reliant, and  
35 independent.

36 (e) Social and emotional well-being: Every homeless youth and  
37 young adult in our state should have access to both behavioral health  
38 care and physical health care. Every state-funded program for  
39 homeless youth and young adults must endeavor to identify, encourage,

1 and nurture each youth's strengths and abilities and demonstrate a  
2 commitment to youth-centered programming.

3 **Sec. 5.** RCW 43.330.705 and 2015 c 69 s 5 are each amended to  
4 read as follows:

5 (1) There is created the office of homeless youth prevention and  
6 protection programs within the department.

7 (2) Activities of the office of homeless youth prevention and  
8 protection programs must be carried out by a director of the office  
9 of homeless youth prevention and protection programs, supervised by  
10 the director of the department or his or her designee.

11 (3) The office of homeless youth prevention and protection  
12 programs is responsible for leading efforts under this subchapter to  
13 coordinate a spectrum of ongoing and future funding, policy, and  
14 practice efforts related to homeless youth and improving the safety,  
15 health, and welfare of homeless youth in this state.

16 (4) The measurable goals of the office of homeless youth  
17 prevention and protection programs are to: (a) Measurably decrease  
18 the number of homeless youth and young adults by identifying programs  
19 that address the initial causes of homelessness, and (b) measurably  
20 increase permanency rates among homeless youth by decreasing the  
21 length and occurrences of youth homelessness caused by a youth's  
22 separation from family or a legal guardian.

23 (5) The office of homeless youth prevention and protection  
24 programs shall (a) gather data and outcome measures, (b) initiate  
25 data-sharing agreements, (c) develop specific recommendations and  
26 timelines to address funding, policy, and practice gaps within the  
27 state system for addressing the five (~~priority service areas~~  
28 ~~identified~~) key components in RCW 43.330.700, (d) make reports, (e)  
29 increase system integration and coordinate efforts to prevent state  
30 systems from discharging youth and young adults into homelessness,  
31 (f) develop measures to include by county and statewide the number of  
32 homeless youth, dependency status, family reunification status,  
33 housing status, program participation, and runaway status, and (g)  
34 develop a comprehensive plan to encourage identification of youth  
35 experiencing homelessness, promote family stability, and eliminate  
36 youth and young adult homelessness.

37 (6) (a) The office of homeless youth prevention and protection  
38 programs shall regularly consult with an advisory committee,  
39 comprised of advocates, at least two legislators, at least two parent

1 advocates, at least two youth representatives, at least one  
2 representative from law enforcement, service providers, and other  
3 stakeholders knowledgeable in the provision of services to homeless  
4 youth and young adults, including the prevention of youth and young  
5 adult homelessness, the dependency system, and family reunification,  
6 for a total of twelve members. The advisory committee shall provide  
7 guidance and recommendations to the office of homeless youth  
8 prevention and protection programs regarding funding, policy, and  
9 practice gaps within and among state programs.

10 (b) The advisory committee must be staffed by the department.

11 (c) The members of the advisory committee must be appointed by  
12 the governor, except for the legislators who must be appointed by the  
13 speaker of the house of representatives and the president of the  
14 senate.

15 (d) The advisory committee must have its initial meeting no later  
16 than March 1, 2016.

17 (7) The office of homeless youth prevention and protection  
18 programs must be operational no later than January 1, 2016. Transfer  
19 of powers, duties, and functions of the department of (~~social and~~  
20 ~~health services~~) children, youth, and families to the department of  
21 commerce pertaining to youth homeless services and programs  
22 identified in RCW 43.330.710(2) may occur before this date.

23 **Sec. 6.** RCW 43.330.710 and 2015 c 69 s 7 are each amended to  
24 read as follows:

25 (1)(a) The office of homeless youth prevention and protection  
26 programs shall report to the director or the director's designee.

27 (b)(i) The office of homeless youth prevention and protection  
28 programs may distribute grants to providers who serve homeless youth  
29 and young adults throughout the state.

30 (ii) The grants must fund services in the five (~~priority service~~  
31 ~~areas identified~~) key components in RCW 43.330.700.

32 (iii) The grants must be expended on a statewide basis and may be  
33 used to support direct services, as well as technical assistance,  
34 evaluation, and capacity building.

35 (2) The office of homeless youth prevention and protection  
36 programs shall provide management and oversight guidance and  
37 direction to the following programs:

38 (a) HOPE centers as described in RCW 43.185C.315;

39 (b) Crisis residential centers as described in RCW 43.185C.295;

1 (c) Street ((youth)) outreach services as defined in RCW  
2 43.185C.010;  
3 (d) Independent youth housing programs as described in RCW  
4 43.63A.305.

--- **END** ---