CERTIFICATION OF ENROLLMENT

HOUSE BILL 1657

Chapter 124, Laws of 2019

66th Legislature 2019 Regular Session

OFFICE OF HOMELESS YOUTH PREVENTION AND PROTECTION PROGRAMS--VARIOUS PROVISIONS

EFFECTIVE DATE: July 28, 2019

Passed by the House March 1, 2019 Yeas 94 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 10, 2019 Yeas 46 Nays 0

CYRUS HABIB

President of the Senate

Approved April 24, 2019 2:02 PM

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1657** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 25, 2019

JAY INSLEE

Governor of the State of Washington

Secretary of State State of Washington

HOUSE BILL 1657

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Representatives Callan, Eslick, Kilduff, Leavitt, Senn, Dolan, Lovick, Frame, Dent, Corry, Appleton, Ryu, Robinson, Jinkins, Goodman, Doglio, Fey, Macri, Ormsby, and Davis; by request of Department of Commerce

Read first time 01/28/19. Referred to Committee on Human Services & Early Learning.

AN ACT Relating to services provided by the office of homeless 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:

(1) When a proper child in need of services petition to approve 8 an out-of-home placement is filed under RCW 13.32A.120, 13.32A.140, 9 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 held on the preceding judicial day; or (B) for a child living at home 15 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 of the right to be represented by counsel and, if indigent, to have 18 counsel appointed for him or her by the court; (c) appoint legal 19 counsel for the child; (d) inform the child and his or her parent of 20 21 the legal consequences of the court approving or disapproving a child

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in need of services petition; (e) notify the parents of their rights 1 under this chapter and chapters 11.88, 13.34, $((70.96A_r))$ and 71.342 RCW, including the right to file an at-risk youth petition, the right 3 to submit an application for admission of their child to a treatment 4 facility for alcohol, chemical dependency, or mental health 5 6 treatment, and the right to file a guardianship petition; and (f) 7 notify all parties, including the department, of their right to present evidence at the fact-finding hearing. 8

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

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

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

(1) "Administrator" means the individual who has the dailyadministrative responsibility of a crisis residential center.

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

(3) "Community action agency" means a nonprofit private or public
 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.

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

37

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.

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

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

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

(13) "HOPE center" means an agency licensed by the secretary of 30 31 the department of ((social and health services)) children, youth, and 32 families to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center 33 for thirty days while services are arranged and permanent placement 34 is coordinated. No street youth may stay longer than thirty days 35 unless approved by the department and any additional days approved by 36 the department must be based on the unavailability of a long-term 37 placement option. A street youth whose parent wants him or her 38 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

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

3 (14) "Housing authority" means any of the public corporations4 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) "Local homeless housing task force" means a voluntary local 18 committee created to advise a local government on the creation of a 19 local homeless housing plan and participate in a local homeless 20 21 housing program. It must include a representative of the county, a representative of the largest city located within the county, at 22 23 least one homeless or formerly homeless person, such other members as may be required to maintain eligibility for federal funding related 24 25 to housing programs and services and if feasible, a representative of 26 a private nonprofit organization with experience in low-income housing. 27

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

(20) "Performance measurement" means the process of comparing
 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

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

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:

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

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

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;

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

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

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

whether a dependency petition should be filed under chapter 13.34 RCW. A shelter care hearing must be held within seventy-two hours to authorize out-of-home placement for any youth the department of ((social and health services)) children, youth, and families determines is appropriate for out-of-home placement under chapter 13.34 RCW. All of the provisions of chapter 13.32A RCW must be 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;

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

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

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

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

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

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

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

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

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a particular county or counties, one of the considerations should be
 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 youth in Washington go to sleep without the safety, stability, and 6 support of a family or a home. This population is exposed to an 7 increased level of violence, human trafficking, and exploitation 8 resulting in a higher incidence of substance abuse, illness, and 9 10 death. The prevention and reduction of youth and young adult homelessness and protection of homeless youth is of key concern to 11 the state. Nothing in chapter 69, Laws of 2015 is meant to diminish 12 the work accomplished by the implementation of Becca legislation but 13 rather, the intent of the legislature is to further enhance the 14 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.

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

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

differing needs of these populations should be considered when
 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 a safe and healthy place for homeless youth to sleep each night until 7 permanency can be reached. Every homeless young adult in our state 8 deserves access to housing that gives them a safe, healthy, and 9 supported launching pad to adulthood. Every family in crisis should 10 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 discharged from a public system of care in our state will not be 13 14 discharged into homelessness.

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

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

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

and nurture each youth's strengths and abilities and demonstrate a
 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.

(3) The office of homeless youth prevention and protection programs is responsible for leading efforts under this subchapter to coordinate a spectrum of ongoing and future funding, policy, and practice efforts related to homeless youth and improving the safety, 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.

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

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

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

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 speaker of the house of representatives and the president of the 13 14 senate.

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

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

RCW 43.330.710 and 2015 c 69 s 7 are each amended to 23 Sec. 6. 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.

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

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

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

The office of homeless youth prevention and protection 35 (2) 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;
- (b) Crisis residential centers as described in RCW 43.185C.295; 39

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- 1 (c) Street ((youth)) outreach services as defined in RCW
 2 43.185C.010;
- 3 (d) Independent youth housing programs as described in RCW4 43.63A.305.

Passed by the House March 1, 2019. Passed by the Senate April 10, 2019. Approved by the Governor April 24, 2019. Filed in Office of Secretary of State April 25, 2019.

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