

# HOUSE BILL REPORT

## HB 2185

---

---

**As Reported by House Committee On:**  
Human Services, Youth, & Early Learning

**Title:** An act relating to the oversight board for children, youth, and families.

**Brief Description:** Concerning the oversight board for children, youth, and families.

**Sponsors:** Representatives Dent, Senn, Reed, Graham, Tharinger and Reeves.

**Brief History:**

**Committee Activity:**

Human Services, Youth, & Early Learning: 1/16/24, 1/26/24 [DPS].

**Brief Summary of Substitute Bill**

- Moves authority for the Oversight Board for Children, Youth, and Families (Oversight Board) from the Governor's Office to the Legislature.
- Modifies membership, authority, reporting requirements and other components related to the Oversight Board.

---

### HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Couture, Assistant Ranking Minority Member; Callan, Dent, Goodman, Ortiz-Self, Taylor and Walsh.

**Staff:** Luke Wickham (786-7146).

**Background:**

*Department of Children, Youth, and Families.*

---

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

The Department of Children, Youth, and Families (DCYF) was created in 2017. In 2018 the DCYF assumed responsibility over child welfare and early learning functions previously held by the Department of Social and Health Services (DSHS) and the Department of Early Learning. On July 1, 2019, the DCYF assumed responsibility over juvenile justice programs previously administered by the DSHS.

*Oversight Board for the Department of Children, Youth, and Families.*

The Oversight Board for Children, Youth, and Families (Oversight Board) was created in 2017, along with the creation of the DCYF. The Oversight Board held its first meetings in 2018. The Oversight Board is authorized to monitor and ensure that the DCYF achieves certain outcomes and complies with policies and rules.

The Oversight Board has powers to:

- receive reports of the Office of the Family and Children's Ombuds (OFCO);
- obtain access to relevant records in the possession of the OFCO;
- select its officers and adoption of rules for orderly procedure;
- request investigations by the OFCO of administrative acts;
- request and receive information, outcome data, documents, materials, and records from the DCYF relating to children and family welfare, juvenile rehabilitation, juvenile justice, and early learning;
- determine whether the DCYF is achieving certain performance measures;
- review whether the DCYF licensors appropriately and consistently applied agency rules in inspection reports; and
- conduct annual reviews of a sample of the DCYF contracts for services from a variety of program and service areas to ensure that those contracts are performance-based.

The Oversight Board consists of 21 members, including:

- two Senators and two House of Representatives members from the Legislature, with one member from each major caucus;
- one nonvoting representative from the Office of the Governor;
- one subject matter expert in early learning;
- one subject matter expert in child welfare;
- one subject matter expert in juvenile rehabilitation and justice;
- one subject matter expert in eliminating disparities in child outcomes by family income, race, and ethnicity;
- one tribal representative from west of the crest of the Cascade Mountains;
- one tribal representative from east of the crest of the Cascade Mountains;
- one current or former foster parent representative;
- one representative of an organization that advocates for the best interest of the child;
- one parent stakeholder group representative;
- one law enforcement representative;
- one child welfare caseworker representative;
- one early childhood learning program implementation practitioner;
- one current or former foster youth under age 25;

- one individual under age 25 with current or previous experience with the juvenile justice system;
- one physician with experience working with children or youth; and
- one judicial representative presiding over child welfare court proceedings or other children's matters.

Nonlegislative members of the Oversight Board are nominated by the Governor, subject to approval of the appointed legislators, and serve four-year terms. When nominating and approving members of the Oversight Board, the Governor and appointed legislators must ensure that at least five of the Oversight Board members reside east of the Cascade Mountain range.

The Oversight Board must convene at least two stakeholder meetings per year regarding contracting with the DCYF. The Oversight Board must also review surveys of providers, customers, parent groups, and external services to assess whether the DCYF is effectively delivering services.

---

**Summary of Substitute Bill:**

The authority for the Oversight Board for Children, Youth, and Families (Oversight Board) is transferred from the Governor's Office to the Legislature. The Facilities and Operations Committee of the Senate and the Executive Rules Committee of the House of Representatives has authority over the operational policies, procedures and oversight of the Oversight Board.

The membership of the Oversight Board is modified to:

- specify that the representative of an organization who advocates for the best interest of the child may be a current or recent representative of that organization;
- specify that the foster youth may be a current or recent foster youth without requiring that the person is under age 25;
- specify that the individual with experience in the juvenile justice system has current or recent experience with that system without requiring that the person is under age 25;
- replace the physician with experience working with children or youth with a pediatrician;
- add a subject matter expert on education for youth who are placed in a juvenile justice institution or dependent; and
- specify that aside from the representative from the Governor's Office, other Oversight Board members must be nominated and approved by a majority of the legislative Oversight Board members.

The authority of the Oversight Board to overturn, change, or uphold decisions made by Department of Children, Youth, and Families (DCYF) licensors regarding adverse child

care licensing decisions not involving a violation of health and safety standards is removed.

The Oversight Board is required to maintain a staff not to exceed the executive director and one additional staff person.

The required components of the Oversight Board's annual report are modified to replace the requirement that the report include a review of DCYF's strategic plan, policies, and rules with a requirement that the report include advice and input to the DCYF and Governor on the DCYF's progress towards meeting stated performance measures and desired performance outcomes.

The requirement that the DCYF report to the Oversight Board the status of the network administrator procurement and implementation process is removed.

The requirement that the Oversight Board no less than twice a year convene stakeholder meetings is removed while maintaining the requirement that the Oversight Board allow feedback to the Oversight Board relating to carrying out the duties of the DCYF.

#### **Substitute Bill Compared to Original Bill:**

The substitute replaces the physician with experience working with children or youth member of the Oversight Board for Children, Youth, and Families (Oversight Board) with a pediatrician. The substitute bill specifies that aside from the representative from the Governor's Office, other Oversight Board members must be nominated and approved by a majority of the legislative Oversight Board members.

The substitute bill removes the authority of the Oversight Board to overturn, change, or uphold decisions made by Department of Children, Youth, and Families (DCYF) licensors regarding adverse child care licensing decisions not involving a violation of health and safety standards.

The substitute bill specifies that the Oversight Board must convene stakeholder meetings relating to carrying out the duties of the DCYF.

The substitute bill specifies that the Oversight Board must maintain a staff not to exceed the executive director and one additional staff person.

The substitute bill modifies the required components of the Oversight Board's annual report to replace the requirement that the report include a review of DCYF's strategic plan, policies, and rules with a requirement that the report include advice and input to the DCYF and Governor on the DCYF's progress towards meeting stated performance measures and desired performance outcomes.

The substitute bill removes a requirement that the DCYF report to the Oversight Board the

status of the network administrator procurement and implementation process.

The substitute bill removes the requirement that the Oversight Board no less than twice a year convene stakeholder meetings while maintaining the requirement that the Oversight Board allow feedback to the Oversight Board relating to carrying out the duties of the DCYF.

---

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) In 2017 the Legislature created the Department of Children, Youth, and Families. The Oversight Board for Children, Youth, and Families (Oversight Board) was an important component of creating that agency.

Last year, there was a bill to modify the membership of the Oversight Board. The Governor's Office believes that the Oversight Board should not exist in the Governor's Office, and that it should probably exist in the legislative branch.

There have been membership shortages on the Oversight Board and there haven't been new appointments. The movement of the Oversight Board to the legislative branch and flexibility around the membership will lead to less membership vacancy.

It could be beneficial to specify that a pediatrician participate on the board.

(Opposing) None.

**Persons Testifying:** Representative Tom Dent, prime sponsor; and Crystal Shen, Washington Chapter of the American Academy of Pediatrics.

**Persons Signed In To Testify But Not Testifying:** None.