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**SENATE BILL 5599**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Lias, C. Wilson, Dhingra, Lovelett, Nguyen, and Randall

Read first time 01/27/23. Referred to Committee on Human Services.

1 AN ACT Relating to supporting youth and young adults seeking  
2 protected health care services; amending RCW 13.32A.082 and  
3 74.15.020; adding a new section to chapter 43.330 RCW; and making an  
4 appropriation.

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

6 **Sec. 1.** RCW 13.32A.082 and 2013 c 4 s 2 are each amended to read  
7 as follows:

8 (1)(a) Except as provided in (b) of this subsection, any person,  
9 unlicensed youth shelter, or runaway and homeless youth program that,  
10 without legal authorization, provides shelter to a minor and that  
11 knows at the time of providing the shelter that the minor is away  
12 from a lawfully prescribed residence or home without parental  
13 permission, shall promptly report the location of the child to the  
14 parent, the law enforcement agency of the jurisdiction in which the  
15 person lives, or the department, unless a compelling reason applies  
16 as defined in subsection (2) of this section.

17 (b)(i) If a licensed overnight youth shelter, or another licensed  
18 organization with a stated mission to provide services to homeless or  
19 runaway youth and their families, shelters a child and knows at the  
20 time of providing the shelter that the child is away from a lawfully  
21 prescribed residence or home without parental permission, it must

1 contact the youth's parent within seventy-two hours, but preferably  
2 within twenty-four hours, following the time that the youth is  
3 admitted to the shelter or other licensed organization's program. The  
4 notification must include the whereabouts of the youth, a description  
5 of the youth's physical and emotional condition, and the  
6 circumstances surrounding the youth's contact with the shelter or  
7 organization. If there are compelling reasons not to notify the  
8 parent, the shelter or organization must instead notify the  
9 department.

10 (ii) At least once every eight hours after learning that a youth  
11 receiving services or shelter under this section is away from home  
12 without permission, the shelter or organization staff must consult  
13 the information that the Washington state patrol makes publicly  
14 available under RCW 43.43.510(2). If the youth is publicly listed as  
15 missing, the shelter or organization must immediately notify the  
16 department of its contact with the youth listed as missing. The  
17 notification must include a description of the minor's physical and  
18 emotional condition and the circumstances surrounding the youth's  
19 contact with the shelter or organization.

20 (c) Reports required under this section may be made by telephone  
21 or any other reasonable means.

22 (2) Unless the context clearly requires otherwise, the  
23 definitions in this subsection apply throughout this section.

24 (a) "Shelter" means the person's home or any structure over which  
25 the person has any control.

26 (b) "Promptly report" means to report within eight hours after  
27 the person has knowledge that the minor is away from a lawfully  
28 prescribed residence or home without parental permission.

29 (c) "Compelling reasons" include, but are not limited to(~~7~~  
30 ~~circumstances~~):

31 (i) Circumstances that indicate that notifying the parent or  
32 legal guardian will subject the minor to abuse or neglect as defined  
33 in RCW 26.44.020; or

34 (ii) When a minor is seeking or receiving protected health care  
35 services.

36 (d) "Protected health care services" has the same meaning as  
37 provided in chapter . . . , Laws of 2023(Senate Bill No. 5489).

38 (3) When the department receives a report under subsection (1) of  
39 this section, it shall make a good faith attempt to notify the parent

1 that a report has been received and offer services designed to  
2 resolve the conflict and accomplish a reunification of the family.

3 (4) Nothing in this section prohibits any person, unlicensed  
4 youth shelter, or runaway and homeless youth program from immediately  
5 reporting the identity and location of any minor who is away from a  
6 lawfully prescribed residence or home without parental permission  
7 more promptly than required under this section.

8 **Sec. 2.** RCW 74.15.020 and 2021 c 176 s 5239 are each amended to  
9 read as follows:

10 The definitions in this section apply throughout this chapter and  
11 RCW 74.13.031 unless the context clearly requires otherwise.

12 (1) "Agency" means any person, firm, partnership, association,  
13 corporation, or facility which receives children, expectant mothers,  
14 or persons with developmental disabilities for control, care, or  
15 maintenance outside their own homes, or which places, arranges the  
16 placement of, or assists in the placement of children, expectant  
17 mothers, or persons with developmental disabilities for foster care  
18 or placement of children for adoption, and shall include the  
19 following irrespective of whether there is compensation to the agency  
20 or to the children, expectant mothers, or persons with developmental  
21 disabilities for services rendered:

22 (a) "Child-placing agency" means an agency which places a child  
23 or children for temporary care, continued care, or for adoption;

24 (b) "Community facility" means a group care facility operated for  
25 the care of juveniles committed to the department under RCW  
26 13.40.185. A county detention facility that houses juveniles  
27 committed to the department under RCW 13.40.185 pursuant to a  
28 contract with the department is not a community facility;

29 (c) "Crisis residential center" means an agency which is a  
30 temporary protective residential facility operated to perform the  
31 duties specified in chapter 13.32A RCW, in the manner provided in RCW  
32 43.185C.295 through 43.185C.310;

33 (d) "Emergency respite center" is an agency that may be commonly  
34 known as a crisis nursery, that provides emergency and crisis care  
35 for up to seventy-two hours to children who have been admitted by  
36 their parents or guardians to prevent abuse or neglect. Emergency  
37 respite centers may operate for up to twenty-four hours a day, and  
38 for up to seven days a week. Emergency respite centers may provide  
39 care for children ages birth through seventeen, and for persons

1 eighteenth through twenty with developmental disabilities who are  
2 admitted with a sibling or siblings through age seventeen. Emergency  
3 respite centers may not substitute for crisis residential centers or  
4 HOPE centers, or any other services defined under this section, and  
5 may not substitute for services which are required under chapter  
6 13.32A or 13.34 RCW;

7 (e) "Foster family home" means an agency which regularly provides  
8 care on a twenty-four hour basis to one or more children, expectant  
9 mothers, or persons with developmental disabilities in the family  
10 abode of the person or persons under whose direct care and  
11 supervision the child, expectant mother, or person with a  
12 developmental disability is placed;

13 (f) "Group-care facility" means an agency, other than a foster  
14 family home, which is maintained and operated for the care of a group  
15 of children on a twenty-four hour basis. "Group care facility"  
16 includes but is not limited to:

17 (i) Qualified residential treatment programs as defined in RCW  
18 13.34.030;

19 (ii) Facilities specializing in providing prenatal, postpartum,  
20 or parenting supports for youth; and

21 (iii) Facilities providing high quality residential care and  
22 supportive services to children who are, or who are at risk of  
23 becoming, victims of sex trafficking;

24 (g) "HOPE center" means an agency licensed by the secretary to  
25 provide temporary residential placement and other services to street  
26 youth. A street youth may remain in a HOPE center for thirty days  
27 while services are arranged and permanent placement is coordinated.  
28 No street youth may stay longer than thirty days unless approved by  
29 the department and any additional days approved by the department  
30 must be based on the unavailability of a long-term placement option.  
31 A street youth whose parent wants him or her returned to home may  
32 remain in a HOPE center until his or her parent arranges return of  
33 the youth, not longer. All other street youth must have court  
34 approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center  
35 up to thirty days;

36 (h) "Maternity service" means an agency which provides or  
37 arranges for care or services to expectant mothers, before or during  
38 confinement, or which provides care as needed to mothers and their  
39 infants after confinement;

1 (i) "Resource and assessment center" means an agency that  
2 provides short-term emergency and crisis care for a period up to  
3 seventy-two hours, excluding Saturdays, Sundays, and holidays to  
4 children who have been removed from their parent's or guardian's care  
5 by child protective services or law enforcement;

6 (j) "Responsible living skills program" means an agency licensed  
7 by the secretary that provides residential and transitional living  
8 services to persons ages sixteen to eighteen who are dependent under  
9 chapter 13.34 RCW and who have been unable to live in his or her  
10 legally authorized residence and, as a result, the minor lived  
11 outdoors or in another unsafe location not intended for occupancy by  
12 the minor. Dependent minors ages fourteen and fifteen may be eligible  
13 if no other placement alternative is available and the department  
14 approves the placement;

15 (k) "Service provider" means the entity that operates a community  
16 facility.

17 (2) "Agency" shall not include the following:

18 (a) Persons related to the child, expectant mother, or person  
19 with developmental disability in the following ways:

20 (i) Any blood relative, including those of half-blood, and  
21 including first cousins, second cousins, nephews or nieces, and  
22 persons of preceding generations as denoted by prefixes of grand,  
23 great, or great-great;

24 (ii) Stepfather, stepmother, stepbrother, and stepsister;

25 (iii) A person who legally adopts a child or the child's parent  
26 as well as the natural and other legally adopted children of such  
27 persons, and other relatives of the adoptive parents in accordance  
28 with state law;

29 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of  
30 this subsection (2), even after the marriage is terminated;

31 (v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this  
32 subsection (2), of any half sibling of the child; or

33 (vi) Extended family members, as defined by the law or custom of  
34 the Indian child's tribe or, in the absence of such law or custom, a  
35 person who has reached the age of eighteen and who is the Indian  
36 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
37 or sister-in-law, niece or nephew, first or second cousin, or  
38 stepparent who provides care in the family abode on a twenty-four-  
39 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

1 (b) Persons who are legal guardians of the child, expectant  
2 mother, or persons with developmental disabilities;

3 (c) Persons who care for a neighbor's or friend's child or  
4 children, with or without compensation, where the parent and person  
5 providing care on a twenty-four-hour basis have agreed to the  
6 placement in writing and the state is not providing any payment for  
7 the care;

8 (d) A person, partnership, corporation, or other entity that  
9 provides placement or similar services to exchange students or  
10 international student exchange visitors or persons who have the care  
11 of an exchange student in their home;

12 (e) A person, partnership, corporation, or other entity that  
13 provides placement or similar services to international children who  
14 have entered the country by obtaining visas that meet the criteria  
15 for medical care as established by the United States citizenship and  
16 immigration services, or persons who have the care of such an  
17 international child in their home;

18 (f) Schools, including boarding schools, which are engaged  
19 primarily in education, operate on a definite school year schedule,  
20 follow a stated academic curriculum, accept only school-age children  
21 and do not accept custody of children;

22 (g) Hospitals licensed pursuant to chapter 70.41 RCW when  
23 performing functions defined in chapter 70.41 RCW, nursing homes  
24 licensed under chapter 18.51 RCW and assisted living facilities  
25 licensed under chapter 18.20 RCW;

26 (h) Licensed physicians or lawyers;

27 (i) Facilities approved and certified under chapter 71A.22 RCW;

28 (j) Any agency having been in operation in this state ten years  
29 prior to June 8, 1967, and not seeking or accepting moneys or  
30 assistance from any state or federal agency, and is supported in part  
31 by an endowment or trust fund;

32 (k) Persons who have a child in their home for purposes of  
33 adoption, if the child was placed in such home by a licensed child-  
34 placing agency, an authorized public or tribal agency or court or if  
35 a replacement report has been filed under chapter 26.33 RCW and the  
36 placement has been approved by the court;

37 (l) An agency operated by any unit of local, state, or federal  
38 government or an agency licensed by an Indian tribe pursuant to RCW  
39 74.15.190;

1 (m) A maximum or medium security program for juvenile offenders  
2 operated by or under contract with the department;

3 (n) An agency located on a federal military reservation, except  
4 where the military authorities request that such agency be subject to  
5 the licensing requirements of this chapter;

6 (o)(i) A host home program, and host home, operated by a tax  
7 exempt organization for youth not in the care of or receiving  
8 services from the department, if that program: (A) Recruits and  
9 screens potential homes in the program, including performing  
10 background checks on individuals over the age of eighteen residing in  
11 the home through the Washington state patrol or equivalent law  
12 enforcement agency and performing physical inspections of the home;  
13 (B) screens and provides case management services to youth in the  
14 program; (C) obtains a notarized permission slip or limited power of  
15 attorney from the parent or legal guardian of the youth authorizing  
16 the youth to participate in the program and the authorization is  
17 updated every six months when a youth remains in a host home longer  
18 than six months, unless there is a compelling reason to not contact  
19 the parent or guardian; (D) obtains insurance for the program through  
20 an insurance provider authorized under Title 48 RCW; (E) provides  
21 mandatory reporter and confidentiality training; and (F) registers  
22 with the secretary of state under RCW 74.15.315.

23 (ii) For purposes of this section, ~~((a—"host"))~~ the following  
24 definitions apply:

25 (A) "Host home" ((is)) means a private home that volunteers to  
26 host youth in need of temporary placement that is associated with a  
27 host home program.

28 ~~((iii) For purposes of this section, a "host))~~ (B) "Host home  
29 program" is a program that provides support to individual host homes  
30 and meets the requirements of (o)(i) of this subsection.

31 ~~((iv))~~ (C) "Compelling reason" means the youth is in the host  
32 home or seeking placement in a host home to receive protected health  
33 care services.

34 (D) "Protected health care services" has the same meaning as  
35 provided in chapter . . . , Laws of 2023 (Senate Bill No. 5489).

36 (iii) Any host home program that receives local, state, or  
37 government funding shall report the following information to the  
38 office of homeless youth prevention and protection programs annually  
39 by December 1st of each year: The number of children the program  
40 served, why the child was placed with a host home, and where the

1 child went after leaving the host home, including but not limited to  
2 returning to the parents, running away, reaching the age of majority,  
3 or becoming a dependent of the state;

4 (p) Receiving centers as defined in RCW 7.68.380.

5 (3) "Department" means the department of children, youth, and  
6 families.

7 (4) "Juvenile" means a person under the age of twenty-one who has  
8 been sentenced to a term of confinement under the supervision of the  
9 department under RCW 13.40.185.

10 (5) "Performance-based contracts" or "contracting" means the  
11 structuring of all aspects of the procurement of services around the  
12 purpose of the work to be performed and the desired results with the  
13 contract requirements set forth in clear, specific, and objective  
14 terms with measurable outcomes. Contracts may also include provisions  
15 that link the performance of the contractor to the level and timing  
16 of the reimbursement.

17 (6) "Probationary license" means a license issued as a  
18 disciplinary measure to an agency that has previously been issued a  
19 full license but is out of compliance with licensing standards.

20 (7) "Requirement" means any rule, regulation, or standard of care  
21 to be maintained by an agency.

22 (8) "Secretary" means the secretary of the department.

23 (9) "Street youth" means a person under the age of eighteen who  
24 lives outdoors or in another unsafe location not intended for  
25 occupancy by the minor and who is not residing with his or her parent  
26 or at his or her legally authorized residence.

27 (10) "Transitional living services" means at a minimum, to the  
28 extent funds are available, the following:

29 (a) Educational services, including basic literacy and  
30 computational skills training, either in local alternative or public  
31 high schools or in a high school equivalency program that leads to  
32 obtaining a high school equivalency degree;

33 (b) Assistance and counseling related to obtaining vocational  
34 training or higher education, job readiness, job search assistance,  
35 and placement programs;

36 (c) Counseling and instruction in life skills such as money  
37 management, home management, consumer skills, parenting, health care,  
38 access to community resources, and transportation and housing  
39 options;

40 (d) Individual and group counseling; and



1 (e) Establishing networks with federal agencies and state and  
2 local organizations such as the United States department of labor,  
3 employment and training administration programs including the  
4 workforce innovation and opportunity act which administers private  
5 industry councils and the job corps; vocational rehabilitation; and  
6 volunteer programs.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330  
8 RCW to read as follows:

9 (1) The sum of \$7,500,000, or as much thereof as may be  
10 necessary, is appropriated for the fiscal biennium ending June 30,  
11 2023, to the office of homeless youth prevention and protection  
12 programs for the purposes of providing access to supportive care  
13 grants to organizations in order to address the needs of youth and  
14 young adults seeking protected health care services.

15 (2) The access to supportive care grants funded under this  
16 section shall provide support to youth and young adults seeking  
17 protected health care services and may include:

- 18 (a) Access to behavioral health services;
- 19 (b) Peer navigators and support;
- 20 (c) Employment support;
- 21 (d) Education support;
- 22 (e) Case management;
- 23 (f) Advocacy and outreach;
- 24 (g) Housing and financial support; or
- 25 (h) Other navigation support to secure safe and stable housing,  
26 including the use of host homes as provided for in RCW 74.15.020.

27 (3) For purposes of this section, "protected health care  
28 services" has the same meaning as provided in chapter . . ., Laws of  
29 2023 (Senate Bill No. 5489).

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