

SB 5032 - H COMM AMD
By Committee on Appropriations

ADOPTED 04/11/2025

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 43.06A.010 and 2013 c 23 s 71 are each amended to
4 read as follows:

5 There is hereby created an office of the family and children's
6 ombuds within the office of the governor for the purpose of promoting
7 public awareness and understanding of family, youth, and children
8 services provided by the department of children, youth, and families,
9 identifying system issues and responses for the governor and the
10 legislature to act upon, and monitoring and ensuring compliance with
11 administrative acts, relevant statutes, rules, and policies
12 pertaining to family, youth, and children's services and the
13 placement, supervision, and treatment of children, youth, and
14 individuals in the state's care or in state-licensed facilities or
15 residences and juvenile rehabilitation facilities. The ombuds shall
16 report directly to the governor and shall exercise (~~his or her~~) the
17 ombuds' powers and duties independently of the secretary.

18 **Sec. 2.** RCW 43.06A.030 and 2018 c 58 s 77 are each amended to
19 read as follows:

20 (1) The ombuds shall perform the following duties:

21 (~~(1)~~) (a) Provide information as appropriate on the rights and
22 responsibilities of individuals receiving services from the
23 department of children, youth, and families, including family, youth,
24 and children's services, juvenile justice, juvenile rehabilitation,
25 and child early learning, and on the procedures for providing these
26 services;

27 (~~(2)~~) (b) Investigate, upon (~~his or her~~) the ombud's own
28 initiative or upon receipt of a complaint, an administrative act by
29 the department of children, youth, and families alleged to be
30 contrary to law, rule, or policy, imposed without an adequate
31 statement of reason, or based on irrelevant, immaterial, or erroneous

1 grounds; however, the ombuds may decline to investigate any complaint
2 as provided by rules adopted under this chapter;

3 ~~((3))~~ (c) Monitor the procedures as established, implemented,
4 and practiced by the department of children, youth, and families to
5 carry out its responsibilities in delivering family, youth, and
6 children's services and juvenile rehabilitation services, with a view
7 toward appropriate preservation of families and ensuring
8 ~~((children's))~~ health and safety;

9 ~~((4))~~ (d) Review periodically the facilities and procedures of
10 state institutions including juvenile rehabilitation facilities
11 serving children, youth, individuals, and families, and state-
12 licensed facilities or residences;

13 ~~((5))~~ (e) Recommend changes in the procedures for addressing
14 the needs of children, youth, individuals, and families, who receive
15 care or services from the department of children, youth, and
16 families;

17 ~~((6))~~ (f) Submit annually to the oversight board for children,
18 youth, and families created in RCW 43.216.015 and to the governor by
19 November 1st a report analyzing the work of the department of
20 children, youth, and families, including recommendations;

21 ~~((7))~~ (g) Grant the oversight board for children, youth, and
22 families access to all relevant records in the possession of the
23 ombuds unless prohibited by law; and

24 ~~((8))~~ (h) Adopt rules necessary to implement this chapter.

25 (2) For the purposes of this section, "child, youth, or
26 individual" includes any person in the state's care or in state-
27 licensed facilities or residences and juvenile rehabilitation
28 facilities who is receiving services from the department of children,
29 youth, and families.

30 **Sec. 3.** RCW 43.06A.100 and 2017 3rd sp.s. c 6 s 810 are each
31 amended to read as follows:

32 (1) The department of children, youth, and families shall:

33 (a) Allow the ombuds or the ombuds's designee to communicate
34 privately with any child or person in the custody of the department
35 of children, youth, and families, or any child or person who is part
36 of a near fatality investigation by the department of children,
37 youth, and families, for the purposes of carrying out its duties
38 under this chapter;

1 (b) Permit the ombuds or the ombuds designee physical access to
2 state institutions serving children, youth, and families, including
3 juvenile rehabilitation facilities and state licensed facilities or
4 residences, for the purpose of carrying out its duties under this
5 chapter;

6 (c) Upon the ombuds's request, grant the ombuds or the ombuds's
7 designee the right to access, inspect, and copy all relevant
8 information, records, or documents in the possession or control of
9 the department of children, youth, and families that the ombuds
10 considers necessary in an investigation; and

11 (d) Grant the office of the family and children's ombuds
12 unrestricted online access to the child welfare case management
13 information system, the juvenile rehabilitation case management
14 system, and the department of children, youth, and families data
15 information system for the purpose of carrying out its duties under
16 this chapter.

17 (2) For the purposes of this section(~~(, "near")~~):

18 (a) "Near fatality" means an act that, as certified by a
19 physician, places the child or person in serious or critical
20 condition.

21 (b) "Child, youth, or individual" includes any person in the
22 state's care or in state-licensed facilities or residences and
23 juvenile rehabilitation facilities who is receiving services from the
24 department of children, youth, and families.

25 (3) Nothing in this section creates a duty for the office of the
26 family and children's ombuds under RCW 43.06A.030 as related to
27 children in the care of an early learning program described in RCW
28 43.216.500 through 43.216.550, a licensed child care center, or a
29 licensed child care home.

30 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
31 this act, referencing this act by bill or chapter number, is not
32 provided by June 30, 2025, in the omnibus appropriations act, this
33 act is null and void."

34 Correct the title.

EFFECT: A null and void clause is added, making the bill null and void unless funded in the budget.

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