
Early Learning & Human Services Committee

HB 1177

Brief Description: Concerning the child welfare housing assistance program.

Sponsors: Representatives Ortiz-Self, Callan, Alvarado, Macri and Simmons.

Brief Summary of Bill

- Requires the Department of Children, Youth, and Families to increase the number of households served by the child welfare housing assistance program by at least 200 above those served during fiscal year 2025, with a priority on serving families on any wait lists.

Hearing Date: 1/28/25

Staff: Luke Wickham (786-7146).

Background:

Child Welfare Housing Assistance Program.

The Department of Children, Youth, and Families (DCYF) is required to administer a child welfare housing assistance program to provide housing vouchers, rental assistance, navigation, and other support services to eligible families. The program is intended to reduce the need for foster care placement and shorten the time that children remain in out-of-home care.

Eligible families include those with a parent of a child who is dependent and lack of appropriate housing is a remaining barrier to reunification, and those with a parent of a child who is a candidate for foster care and whose housing instability is a barrier to the child remaining in the home.

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.

Child Welfare (Dependency) Court Proceedings.

Anyone, including the DCYF, may file a petition in court alleging that a child should be a dependent of the state due to abandonment, abuse or neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. These petitions must be verified and contain a statement of facts that constitute a dependency and the names and residence of the parents, if known.

When a child is taken into custody, the court is to hold a shelter care hearing within 72 hours. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the dependency case is being resolved.

If a court finds the need to maintain a child out of the home, the shelter care status remains until a dependency fact-finding hearing is held or the parties enter an agreed order of dependency. The fact-finding hearing must be held within 75 days after the filing of the petition, unless exceptional reasons for a continuance are found.

If a court determines that a child is dependent, the court will hold a dispositional hearing to determine whether the child may remain in the home or be removed from the home and be cared for by a relative, other suitable person, or the DCYF. The child may only be placed out of the parent's care if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal, that prevention services have been offered or provided, and that:

- there is no parent or guardian available to care for the child;
- the parent, guardian, or legal custodian is not willing to take custody of the child; or
- the court finds by clear, cogent, and convincing evidence that a manifest danger exists and the child will suffer serious abuse or neglect if the child is not removed from the home.

Following a fact-finding and dispositional hearing, the court will conduct periodic reviews and make determinations regarding the child's placement, the provision of services by the DCYF, compliance of the parents, and whether progress has been made by the parents.

Under certain circumstances after a child has been removed from the custody of a parent for at least six months pursuant to a finding of dependency, a petition may be filed seeking termination of parental rights. The court must order the DCYF to file a petition seeking termination of parental rights if the child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate.

Candidate for Foster Care.

A child who is a "candidate for foster care" is someone who DCYF identifies as being at imminent risk of entering foster care but who can remain safely in the child's home or in a kinship placement as long as services or programs that are necessary to prevent entry of the child into foster care are provided.

Summary of Bill:

The Department of Children, Youth, and Families (DCYF) is required to increase the number of households served by the child welfare housing assistance program (program) by at least 200 above those served during fiscal year 2025, with a priority on serving families on any wait lists. Beginning July 1, 2027, the DCYF must continue to provide child welfare housing assistance to at least the same number of households as were served during the 2025-27 biennium.

The DCYF or entities contracted to provide child welfare housing assistance may continue to provide this assistance after the DCYF is no longer providing child welfare or child protective services to the family.

The DCYF is required to adopt rules to establish formal procedures for implementing the program.

Adds to the information that the DCYF is required to include in its annual report regarding the program, to include:

- the number of unhoused parents on the waiting list for vouchers supported by the program and the average time spent on the waiting list;
- the percentage of funding spent on housing assistance for families to prevent out-of-home placement, support reunification, provide for program administration, or other purposes; and
- the percentage of funding spent on program administration, rental assistance to families, and supportive services necessary to receive federal housing voucher support.

The child welfare assistance program is included in the definition of "housing assistance" used in child welfare.

Appropriation: None.

Fiscal Note: Requested on January 14, 2025.

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