

HOUSE BILL REPORT

HB 1177

As Reported by House Committee On:

Early Learning & Human Services

Title: An act relating to the child welfare housing assistance program.

Brief Description: Concerning the child welfare housing assistance program.

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

Brief History:

Committee Activity:

Early Learning & Human Services: 1/28/25, 1/31/25 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Children, Youth, and Families (DCYF) to serve families eligible for the Child Welfare Housing Assistance Program who are placed on a waiting list in an attempt to eliminate this waiting list, subject to appropriation.
- Allows families to receive assistance from the program after the DCYF is no longer providing child welfare or child protective services to the family, requires the DCYF to adopt rules to establish formal procedures for implementing the program, and adds to the information that the DCYF is required to include in its annual report regarding the program.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Bernbaum, Goodman, Hill, Ortiz-Self and Taylor.

Minority Report: Without recommendation. Signed by 3 members: Representatives Burnett, Assistant Ranking Minority Member; Dent and Penner.

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.

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.

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 Substitute Bill:

The Department of Children, Youth, and Families (DCYF) is required to serve families eligible for the Child Welfare Housing Assistance Program who are placed on a waiting list in an attempt to eliminate this waiting list, subject to appropriation.

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.

The DCYF is required to provide additional information in its annual report regarding the program, including:

- 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.

Substitute Bill Compared to Original Bill:

The substitute bill removes the portion of the bill that added the Child Welfare Housing Assistance Program to the list of entities that the Department of Children, Youth, and Families (DCYF) may refer families to when providing "housing assistance."

The substitute bill replaces the requirement that the DCYF increase the number of households served by the Child Welfare Housing Assistance Program by 200 additional families above the number currently served with a requirement that the DCYF serve families eligible for the program who are placed on a waiting list of any kind in an attempt to serve all eligible families and eliminate any waiting list, subject to appropriation.

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) Poverty should not be a reason for families to lose their children. Likewise, housing instability should not be a reason for families to be separated.

Keeping children out of foster care saves the state money and saves children from trauma. This bill helps keep families together.

Since its creation in 2019, the Child Welfare Housing Assistance Program has been successful in serving many families. The changes in this bill will help strengthen this program and help serve more eligible families. The state spends four times more on foster care than it would on this program.

In 2021 the Administrative Office of the Courts convened negotiations between the Department of Children, Youth, and Families (DCYF) and the state's public housing authorities. Thirty percent of foster care placements can be avoided or shortened if housing is available.

Of the young people that age out of foster care, 5 percent become homeless within three months, and 15 percent become homeless within 12 months.

The DCYF and the state housing authorities entered into a memorandum of understanding that has two parts. First, 15 housing authorities committed 2,167 housing vouchers and apartments for use by the DCYF for cases that would prevent the need for foster care, shorten it, or for housing a teenager aging out of foster care who would otherwise become homeless. Those resources are worth \$60 million per biennium, and are estimated to save

the state \$27 million in averted foster care costs.

The child welfare system, while vital in some instances, is an extremely traumatic experience for both children and parents. The urgency to reunify families safely cannot be overstated. A critical barrier that many families face, of course, is housing instability. In fact, two out of five families involved in the system need housing assistance to be reunified.

Data from the DCYF shows that 53 percent of families involved in child welfare remain in care for over 365 days. This leads to an average yearly cost of \$41,385 per placement episode that does not include court costs. These numbers underscore the immense financial burden that the state faces, as well as an opportunity for significant cost savings through effective housing solutions.

While resources are limited, the truth remains that each day a child languishes in care because housing is unavailable, is a missed opportunity to reunify a family. The financial cost is high, but so is the emotional, the mental, and the physical tolls on both parents and children. Delays in family reunification only serve to exacerbate these stressors.

The lack of housing is an everyday barrier for families in child welfare court cases. In New York City, there is a right to housing to any family that is ready to reunify and this is done in one of the most expensive places to live in the country or the world.

Obviously, this particular program is relatively new. So there isn't data on this particular program. But I just want to point out that there is robust research about the harms of family separation, including the children who, separated from their parents, have 2 to 3 higher times of delinquency. They have higher teen-birth rates, lower earnings as adults, are 2 to 3 times more likely to go into the criminal justice system as adults and twice as likely to have learning disabilities or developmental delays, six times more likely to have behavioral problems, more likely to have substance use related disorders, psychotic or bipolar disorders, depression and anxiety disorders, and as adults have arrest rates at 2 to 3 times higher, and are more likely to have criminal convictions for violent offenses. Family separation should be prevented and families should be kept together.

This program has been used to allow children to return to parents and dismiss child welfare cases for families who have been waiting for months to reunify.

(Opposed) None.

Persons Testifying: Representative Lillian Ortiz-Self, prime sponsor; Michael Mirra, Association of Washington Housing Authorities and Admin. Office of the Courts Comm. on Housing & CW; Kim Justice, Partners for Our Children; Tara Urs, King County Department of Public Defense; Shrounda Selivanoff, Washington State Office of Public Defense; and Gina Wassemler, FIRST Clinic; Jason Bragg.

Persons Signed In To Testify But Not Testifying: None.