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**SENATE BILL 5736**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Braun, Boehnke, Chapman, Christian, Dozier, and Warnick

Read first time 02/12/25. Referred to Committee on Human Services.

1 AN ACT Relating to improving responses and outcomes in child  
2 neglect cases; amending RCW 26.44.020 and 26.44.030; and adding a new  
3 section to chapter 26.44 RCW.

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

5 **Sec. 1.** RCW 26.44.020 and 2024 c 298 s 5 are each amended to  
6 read as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Abuse or neglect" means sexual abuse, sexual exploitation,  
10 female genital mutilation as defined in RCW 18.130.460, trafficking  
11 as described in RCW 9A.40.100, sex trafficking or severe forms of  
12 trafficking in persons under the trafficking victims protection act  
13 of 2000, 22 U.S.C. Sec. 7101 et seq., or injury of a child by any  
14 person under circumstances which cause harm to the child's health,  
15 welfare, or safety, excluding conduct permitted under RCW 9A.16.100;  
16 or the negligent treatment or maltreatment of a child by a person  
17 responsible for or providing care to the child. An abused child is a  
18 child who has been subjected to child abuse or neglect as defined in  
19 this section.

20 (2) "Child" or "children" means any person under the age of  
21 eighteen years of age.

1 (3) "Child forensic interview" means a developmentally sensitive  
2 and legally sound method of gathering factual information regarding  
3 allegations of child abuse, child neglect, or exposure to violence.  
4 This interview is conducted by a competently trained, neutral  
5 professional utilizing techniques informed by research and best  
6 practice as part of a larger investigative process.

7 (4) "Child protective services" means those services provided by  
8 the department designed to protect children from child abuse and  
9 neglect and safeguard such children from future abuse and neglect,  
10 and conduct investigations of child abuse and neglect reports.  
11 Investigations may be conducted regardless of the location of the  
12 alleged abuse or neglect. Child protective services includes referral  
13 to services to ameliorate conditions that endanger the welfare of  
14 children, the coordination of necessary programs and services  
15 relevant to the prevention, intervention, and treatment of child  
16 abuse and neglect, and services to children to ensure that each child  
17 has a permanent home. In determining whether protective services  
18 should be provided, the department shall not decline to provide such  
19 services solely because of the child's unwillingness or developmental  
20 inability to describe the nature and severity of the abuse or  
21 neglect.

22 (5) "Child protective services section" means the child  
23 protective services section of the department.

24 (6) "Child who is a candidate for foster care" means a child who  
25 the department identifies as being at imminent risk of entering  
26 foster care but who can remain safely in the child's home or in a  
27 kinship placement as long as services or programs that are necessary  
28 to prevent entry of the child into foster care are provided, and  
29 includes but is not limited to a child whose adoption or guardianship  
30 arrangement is at risk of a disruption or dissolution that would  
31 result in a foster care placement. The term includes a child for whom  
32 there is reasonable cause to believe that any of the following  
33 circumstances exist:

34 (a) The child has been abandoned by the parent as defined in RCW  
35 13.34.030 and the child's health, safety, and welfare is seriously  
36 endangered as a result;

37 (b) The child has been abused or neglected as defined in this  
38 chapter and the child's health, safety, and welfare is seriously  
39 endangered as a result;

1 (c) There is no parent capable of meeting the child's needs such  
2 that the child is in circumstances that constitute a serious danger  
3 to the child's development;

4 (d) The child is otherwise at imminent risk of harm.

5 (7) "Children's advocacy center" means a child-focused facility  
6 in good standing with the state chapter for children's advocacy  
7 centers and that coordinates a multidisciplinary process for the  
8 investigation, prosecution, and treatment of sexual and other types  
9 of child abuse. Children's advocacy centers provide a location for  
10 forensic interviews and coordinate access to services such as, but  
11 not limited to, medical evaluations, advocacy, therapy, and case  
12 review by multidisciplinary teams within the context of county  
13 protocols as defined in RCW 26.44.180 and 26.44.185.

14 (8) "Chronic child neglect" means either of the following amounts  
15 of screened-in cases that involve allegations of more than one type  
16 of neglect or a combination of abuse and neglect allegations:

17 (a) Three screened-in cases in 12 months; or

18 (b) Four screened-in cases in 24 months.

19 (9) "Clergy" means any regularly licensed or ordained minister,  
20 priest, or rabbi of any church or religious denomination, whether  
21 acting in an individual capacity or as an employee or agent of any  
22 public or private organization or institution.

23 ~~((+9))~~ (10) "Court" means the superior court of the state of  
24 Washington, juvenile department.

25 ~~((+10))~~ (11) "Department" means the department of children,  
26 youth, and families.

27 ~~((+11))~~ (12) "Experiencing homelessness" means lacking a fixed,  
28 regular, and adequate nighttime residence, including circumstances  
29 such as sharing the housing of other persons due to loss of housing,  
30 economic hardship, fleeing domestic violence, or a similar reason as  
31 described in the federal McKinney-Vento homeless assistance act  
32 (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January  
33 1, 2021.

34 ~~((+12))~~ (13) "Family assessment" means a comprehensive  
35 assessment of child safety, risk of subsequent child abuse or  
36 neglect, and family strengths and needs that is applied to a child  
37 abuse or neglect report. Family assessment does not include a  
38 determination as to whether child abuse or neglect occurred, but does  
39 determine the need for services to address the safety of the child  
40 and the risk of subsequent maltreatment.

1       (~~(13)~~) (14) "Family assessment response" means a way of  
2 responding to certain reports of child abuse or neglect made under  
3 this chapter using a differential response approach to child  
4 protective services. The family assessment response shall focus on  
5 the safety of the child, the integrity and preservation of the  
6 family, and shall assess the status of the child and the family in  
7 terms of risk of abuse and neglect including the parent's or  
8 guardian's or other caretaker's capacity and willingness to protect  
9 the child and, if necessary, plan and arrange the provision of  
10 services to reduce the risk and otherwise support the family. No one  
11 is named as a perpetrator, and no investigative finding is entered in  
12 the record as a result of a family assessment.

13       (~~(14)~~) (15) "Founded" means the determination following an  
14 investigation by the department that, based on available information,  
15 it is more likely than not that child abuse or neglect did occur.

16       (~~(15)~~) (16) "Inconclusive" means the determination following an  
17 investigation by the department of social and health services, prior  
18 to October 1, 2008, that based on available information a decision  
19 cannot be made that more likely than not, child abuse or neglect did  
20 or did not occur.

21       (~~(16)~~) (17) "Institution" means a private or public hospital or  
22 any other facility providing medical diagnosis, treatment, or care.

23       (~~(17)~~) (18) "Law enforcement agency" means the police  
24 department, the prosecuting attorney, the state patrol, the director  
25 of public safety, or the office of the sheriff.

26       (~~(18)~~) (19) "Malice" or "maliciously" means an intent, wish, or  
27 design to intimidate, annoy, or injure another person. Such malice  
28 may be inferred from an act done in willful disregard of the rights  
29 of another, or an act wrongfully done without just cause or excuse,  
30 or an act or omission of duty betraying a willful disregard of social  
31 duty.

32       (~~(19)~~) (20) "Negligent treatment or maltreatment" means an act  
33 or a failure to act, or the cumulative effects of a pattern of  
34 conduct, behavior, or inaction, that evidences a serious disregard of  
35 consequences of such magnitude as to constitute a clear and present  
36 danger to a child's health, welfare, or safety, including but not  
37 limited to conduct prohibited under RCW 9A.42.100. When considering  
38 whether a clear and present danger exists, evidence of a parent's  
39 substance abuse as a contributing factor to negligent treatment or  
40 maltreatment shall be given great weight. The fact that siblings

1 share a bedroom is not, in and of itself, negligent treatment or  
2 maltreatment. Poverty, experiencing homelessness, or exposure to  
3 domestic violence as defined in RCW 7.105.010 that is perpetrated  
4 against someone other than the child does not constitute negligent  
5 treatment or maltreatment in and of itself.

6 ~~((20))~~ (21) "Pharmacist" means any registered pharmacist under  
7 chapter 18.64 RCW, whether acting in an individual capacity or as an  
8 employee or agent of any public or private organization or  
9 institution.

10 ~~((21))~~ (22) "Practitioner of the healing arts" or  
11 "practitioner" means a person licensed by this state to practice  
12 podiatric medicine and surgery, optometry, chiropractic, nursing,  
13 dentistry, osteopathic medicine and surgery, or medicine and surgery  
14 or to provide other health services. The term "practitioner" includes  
15 a duly accredited Christian Science practitioner. A person who is  
16 being furnished Christian Science treatment by a duly accredited  
17 Christian Science practitioner will not be considered, for that  
18 reason alone, a neglected person for the purposes of this chapter.

19 ~~((22))~~ (23) "Prevention and family services and programs" means  
20 specific mental health prevention and treatment services, substance  
21 abuse prevention and treatment services, and in-home parent skill-  
22 based programs that qualify for federal funding under the federal  
23 family first prevention services act, P.L. 115-123. For purposes of  
24 this chapter, prevention and family services and programs are not  
25 remedial services or family reunification services as described in  
26 RCW 13.34.025(2).

27 ~~((23))~~ (24) "Professional school personnel" include, but are  
28 not limited to, teachers, counselors, administrators, child care  
29 facility personnel, and school nurses.

30 ~~((24))~~ (25) "Psychologist" means any person licensed to  
31 practice psychology under chapter 18.83 RCW, whether acting in an  
32 individual capacity or as an employee or agent of any public or  
33 private organization or institution.

34 ~~((25))~~ (26) "Screened-out report" means a report of alleged  
35 child abuse or neglect that the department has determined does not  
36 rise to the level of a credible report of abuse or neglect and is not  
37 referred for investigation.

38 ~~((26))~~ (27) "Sexual exploitation" includes: (a) Allowing,  
39 permitting, or encouraging a child to engage in prostitution by any  
40 person; or (b) allowing, permitting, encouraging, or engaging in the

1 obscene or pornographic photographing, filming, or depicting of a  
2 child by any person.

3 ~~((27))~~ (28) "Sexually aggressive youth" means a child who is  
4 defined in RCW 74.13.075(1)(b) as being a sexually aggressive youth.

5 ~~((28))~~ (29) "Social service counselor" means anyone engaged in  
6 a professional capacity during the regular course of employment in  
7 encouraging or promoting the health, welfare, support, or education  
8 of children, or providing social services to adults or families,  
9 including mental health, drug and alcohol treatment, and domestic  
10 violence programs, whether in an individual capacity, or as an  
11 employee or agent of any public or private organization or  
12 institution.

13 ~~((29))~~ (30) "Unfounded" means the determination following an  
14 investigation by the department that available information indicates  
15 that, more likely than not, child abuse or neglect did not occur, or  
16 that there is insufficient evidence for the department to determine  
17 whether the alleged child abuse did or did not occur.

18 **Sec. 2.** RCW 26.44.030 and 2024 c 298 s 6 are each amended to  
19 read as follows:

20 (1)(a) When any practitioner, county coroner or medical examiner,  
21 law enforcement officer, professional school personnel, registered or  
22 licensed nurse, social service counselor, psychologist, pharmacist,  
23 employee of the department of children, youth, and families, licensed  
24 or certified child care providers or their employees, employee of the  
25 department of social and health services, juvenile probation officer,  
26 diversion unit staff, placement and liaison specialist, responsible  
27 living skills program staff, HOPE center staff, state family and  
28 children's ombuds or any volunteer in the ombuds' office, or host  
29 home program has reasonable cause to believe that a child has  
30 suffered abuse or neglect, he or she shall report such incident, or  
31 cause a report to be made, to the proper law enforcement agency or to  
32 the department as provided in RCW 26.44.040.

33 (b) When any person, in his or her official supervisory capacity  
34 with a nonprofit or for-profit organization, has reasonable cause to  
35 believe that a child has suffered abuse or neglect caused by a person  
36 over whom he or she regularly exercises supervisory authority, he or  
37 she shall report such incident, or cause a report to be made, to the  
38 proper law enforcement agency, provided that the person alleged to  
39 have caused the abuse or neglect is employed by, contracted by, or

1 volunteers with the organization and coaches, trains, educates, or  
2 counsels a child or children or regularly has unsupervised access to  
3 a child or children as part of the employment, contract, or voluntary  
4 service. No one shall be required to report under this section when  
5 he or she obtains the information solely as a result of a privileged  
6 communication as provided in RCW 5.60.060.

7 Nothing in this subsection (1)(b) shall limit a person's duty to  
8 report under (a) of this subsection.

9 For the purposes of this subsection, the following definitions  
10 apply:

11 (i) "Official supervisory capacity" means a position, status, or  
12 role created, recognized, or designated by any nonprofit or for-  
13 profit organization, either for financial gain or without financial  
14 gain, whose scope includes, but is not limited to, overseeing,  
15 directing, or managing another person who is employed by, contracted  
16 by, or volunteers with the nonprofit or for-profit organization.

17 (ii) "Organization" includes a sole proprietor, partnership,  
18 corporation, limited liability company, trust, association, financial  
19 institution, governmental entity, other than the federal government,  
20 and any other individual or group engaged in a trade, occupation,  
21 enterprise, governmental function, charitable function, or similar  
22 activity in this state whether or not the entity is operated as a  
23 nonprofit or for-profit entity.

24 (iii) "Reasonable cause" means a person witnesses or receives a  
25 credible written or oral report alleging abuse, including sexual  
26 contact, or neglect of a child.

27 (iv) "Regularly exercises supervisory authority" means to act in  
28 his or her official supervisory capacity on an ongoing or continuing  
29 basis with regards to a particular person.

30 (v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

31 (c) The reporting requirement also applies to department of  
32 corrections personnel who, in the course of their employment, observe  
33 offenders or the children with whom the offenders are in contact. If,  
34 as a result of observations or information received in the course of  
35 his or her employment, any department of corrections personnel has  
36 reasonable cause to believe that a child has suffered abuse or  
37 neglect, he or she shall report the incident, or cause a report to be  
38 made, to the proper law enforcement agency or to the department as  
39 provided in RCW 26.44.040.

1 (d) The reporting requirement shall also apply to any adult who  
2 has reasonable cause to believe that a child who resides with them,  
3 has suffered severe abuse, and is able or capable of making a report.  
4 For the purposes of this subsection, "severe abuse" means any of the  
5 following: Any single act of abuse that causes physical trauma of  
6 sufficient severity that, if left untreated, could cause death; any  
7 single act of sexual abuse that causes significant bleeding, deep  
8 bruising, or significant external or internal swelling; or more than  
9 one act of physical abuse, each of which causes bleeding, deep  
10 bruising, significant external or internal swelling, bone fracture,  
11 or unconsciousness.

12 (e) The reporting requirement also applies to guardians ad litem,  
13 including court-appointed special advocates, appointed under Titles  
14 11 and 13 RCW and this title, who in the course of their  
15 representation of children in these actions have reasonable cause to  
16 believe a child has been abused or neglected.

17 (f) The reporting requirement in (a) of this subsection also  
18 applies to administrative and academic or athletic department  
19 employees, including student employees, of institutions of higher  
20 education, as defined in RCW 28B.10.016, and of private institutions  
21 of higher education.

22 (g) The report must be made at the first opportunity, but in no  
23 case longer than forty-eight hours after there is reasonable cause to  
24 believe that the child has suffered abuse or neglect. The report must  
25 include the identity of the accused if known.

26 (2) The reporting requirement of subsection (1) of this section  
27 does not apply to the discovery of abuse or neglect that occurred  
28 during childhood if it is discovered after the child has become an  
29 adult. However, if there is reasonable cause to believe other  
30 children are or may be at risk of abuse or neglect by the accused,  
31 the reporting requirement of subsection (1) of this section does  
32 apply.

33 (3) Any other person who has reasonable cause to believe that a  
34 child has suffered abuse or neglect may report such incident to the  
35 proper law enforcement agency or to the department as provided in RCW  
36 26.44.040.

37 (4) The department, upon receiving a report of an incident of  
38 alleged abuse or neglect pursuant to this chapter, involving a child  
39 who has died or has had physical injury or injuries inflicted upon  
40 him or her other than by accidental means or who has been subjected



1 to alleged sexual abuse, shall report such incident to the proper law  
2 enforcement agency, including military law enforcement, if  
3 appropriate. In emergency cases, where the child's welfare is  
4 endangered, the department shall notify the proper law enforcement  
5 agency within twenty-four hours after a report is received by the  
6 department. In all other cases, the department shall notify the law  
7 enforcement agency within seventy-two hours after a report is  
8 received by the department. If the department makes an oral report, a  
9 written report must also be made to the proper law enforcement agency  
10 within five days thereafter.

11 (5) Any law enforcement agency receiving a report of an incident  
12 of alleged abuse or neglect pursuant to this chapter, involving a  
13 child who has died or has had physical injury or injuries inflicted  
14 upon him or her other than by accidental means, or who has been  
15 subjected to alleged sexual abuse, shall report such incident in  
16 writing as provided in RCW 26.44.040 to the proper county prosecutor  
17 or city attorney for appropriate action whenever the law enforcement  
18 agency's investigation reveals that a crime may have been committed.  
19 The law enforcement agency shall also notify the department of all  
20 reports received and the law enforcement agency's disposition of  
21 them. In emergency cases, where the child's welfare is endangered,  
22 the law enforcement agency shall notify the department within twenty-  
23 four hours. In all other cases, the law enforcement agency shall  
24 notify the department within seventy-two hours after a report is  
25 received by the law enforcement agency.

26 (6) Any county prosecutor or city attorney receiving a report  
27 under subsection (5) of this section shall notify the victim, any  
28 persons the victim requests, and the local office of the department,  
29 of the decision to charge or decline to charge a crime, within five  
30 days of making the decision.

31 (7) The department may conduct ongoing case planning and  
32 consultation with those persons or agencies required to report under  
33 this section, with consultants designated by the department, and with  
34 designated representatives of Washington Indian tribes if the client  
35 information exchanged is pertinent to cases currently receiving child  
36 protective services. Upon request, the department shall conduct such  
37 planning and consultation with those persons required to report under  
38 this section if the department determines it is in the best interests  
39 of the child. Information considered privileged by statute and not

1 directly related to reports required by this section must not be  
2 divulged without a valid written waiver of the privilege.

3 (8) Any case referred to the department by a physician licensed  
4 under chapter 18.57 or 18.71 RCW on the basis of an expert medical  
5 opinion that child abuse, neglect, or sexual assault has occurred and  
6 that the child's safety will be seriously endangered if returned  
7 home, the department shall file a dependency petition unless a second  
8 licensed physician of the parents' choice believes that such expert  
9 medical opinion is incorrect. If the parents fail to designate a  
10 second physician, the department may make the selection. If a  
11 physician finds that a child has suffered abuse or neglect but that  
12 such abuse or neglect does not constitute imminent danger to the  
13 child's health or safety, and the department agrees with the  
14 physician's assessment, the child may be left in the parents' home  
15 while the department proceeds with reasonable efforts to remedy  
16 parenting deficiencies.

17 (9) Persons or agencies exchanging information under subsection  
18 (7) of this section shall not further disseminate or release the  
19 information except as authorized by state or federal statute.  
20 Violation of this subsection is a misdemeanor.

21 (10) Upon receiving a report that a child is a candidate for  
22 foster care as defined in RCW 26.44.020, the department may provide  
23 prevention and family services and programs to the child's parents,  
24 guardian, or caregiver. The department may not be held civilly liable  
25 for the decision regarding whether to provide prevention and family  
26 services and programs, or for the provision of those services and  
27 programs, for a child determined to be a candidate for foster care.

28 (11) Upon receiving a report of alleged abuse or neglect, the  
29 department shall make reasonable efforts to learn the name, address,  
30 and telephone number of each person making a report of abuse or  
31 neglect under this section. The department shall provide assurances  
32 of appropriate confidentiality of the identification of persons  
33 reporting under this section. If the department is unable to learn  
34 the information required under this subsection, the department shall  
35 only investigate cases in which:

36 (a) The department believes there is a serious threat of  
37 substantial harm to the child;

38 (b) The report indicates conduct involving a criminal offense  
39 that has, or is about to occur, in which the child is the victim; or

1 (c) The department has a prior founded report of abuse or neglect  
2 with regard to a member of the household that is within three years  
3 of receipt of the referral.

4 (12)(a) Upon receiving a report of alleged abuse or neglect, the  
5 department shall use one of the following discrete responses to  
6 reports of child abuse or neglect that are screened in and accepted  
7 for departmental response:

8 (i) Investigation; or

9 (ii) Family assessment.

10 (b) In making the response in (a) of this subsection the  
11 department shall:

12 (i) Use a method by which to assign cases to investigation or  
13 family assessment which are based on an array of factors that may  
14 include the presence of: Imminent danger, level of risk, number of  
15 previous child abuse or neglect reports, or other presenting case  
16 characteristics, such as the type of alleged maltreatment and the age  
17 of the alleged victim. Age of the alleged victim shall not be used as  
18 the sole criterion for determining case assignment;

19 (ii) Allow for a change in response assignment based on new  
20 information that alters risk or safety level;

21 (iii) Allow families assigned to family assessment to choose to  
22 receive an investigation rather than a family assessment;

23 (iv) Provide a full investigation if a family refuses the initial  
24 family assessment;

25 (v) Provide voluntary services to families based on the results  
26 of the initial family assessment. If a family refuses voluntary  
27 services, and the department cannot identify specific facts related  
28 to risk or safety that warrant assignment to investigation under this  
29 chapter, and there is not a history of reports of child abuse or  
30 neglect related to the family, then the department must close the  
31 family assessment response case. However, if at any time the  
32 department identifies risk or safety factors that warrant an  
33 investigation under this chapter, then the family assessment response  
34 case must be reassigned to investigation;

35 (vi) Conduct an investigation, and not a family assessment, in  
36 response to an allegation that, the department determines based on  
37 the intake assessment:

38 (A) Indicates a child's health, safety, and welfare will be  
39 seriously endangered if not taken into custody for reasons including,

1 but not limited to, sexual abuse and sexual exploitation of the child  
2 as defined in this chapter;

3 (B) Poses a serious threat of substantial harm to a child;

4 (C) Constitutes conduct involving a criminal offense that has, or  
5 is about to occur, in which the child is the victim;

6 (D) The child is an abandoned child as defined in RCW 13.34.030;

7 (E) The child is an adjudicated dependent child as defined in RCW  
8 13.34.030, or the child is in a facility that is licensed, operated,  
9 or certified for care of children by the department under chapter  
10 74.15 RCW.

11 (c) In addition, the department may use a family assessment  
12 response to assess for and provide prevention and family services and  
13 programs, as defined in RCW 26.44.020, for the following children and  
14 their families, consistent with requirements under the federal family  
15 first prevention services act and this section:

16 (i) A child who is a candidate for foster care, as defined in RCW  
17 26.44.020; and

18 (ii) A child who is in foster care and who is pregnant,  
19 parenting, or both.

20 (d) The department may not be held civilly liable for the  
21 decision to respond to an allegation of child abuse or neglect by  
22 using the family assessment response under this section unless the  
23 state or its officers, agents, or employees acted with reckless  
24 disregard.

25 (13) Upon a department finding that neglect occurred without  
26 abuse, the department must provide information to the family on how  
27 to apply for public assistance benefits that may be available to the  
28 family including, but not limited to, cash, food, medical, child  
29 support, disability determination, and support for transitioning to  
30 employment services as provided in Title 74 RCW, and the working  
31 families' tax credit as provided in RCW 82.08.0206, as well as  
32 information regarding family resource centers as defined in RCW  
33 74.14C.010.

34 (14) (a) For reports of alleged abuse or neglect that are accepted  
35 for investigation by the department, the investigation shall be  
36 conducted within time frames established by the department in rule.  
37 In no case shall the investigation extend longer than ninety days  
38 from the date the report is received, unless the investigation is  
39 being conducted under a written protocol pursuant to RCW 26.44.180  
40 and a law enforcement agency or prosecuting attorney has determined

1 that a longer investigation period is necessary. At the completion of  
2 the investigation, the department shall make a finding that the  
3 report of child abuse or neglect is founded or unfounded.

4 (b) If a court in a civil or criminal proceeding, considering the  
5 same facts or circumstances as are contained in the report being  
6 investigated by the department, makes a judicial finding by a  
7 preponderance of the evidence or higher that the subject of the  
8 pending investigation has abused or neglected the child, the  
9 department shall adopt the finding in its investigation.

10 ~~((14))~~ (15) For reports of alleged abuse or neglect that are  
11 responded to through family assessment response, the department  
12 shall:

13 (a) Provide the family with a written explanation of the  
14 procedure for assessment of the child and the family and its  
15 purposes;

16 (b) Collaborate with the family to identify family strengths,  
17 resources, and service needs, and develop a service plan with the  
18 goal of reducing risk of harm to the child and improving or restoring  
19 family well-being;

20 (c) Complete the family assessment response within forty-five  
21 days of receiving the report except as follows:

22 (i) Upon parental agreement, the family assessment response  
23 period may be extended up to one hundred twenty days. The  
24 department's extension of the family assessment response period must  
25 be operated within the department's appropriations;

26 (ii) For cases in which the department elects to use a family  
27 assessment response as authorized under subsection (12)(c) of this  
28 section, and upon agreement of the child's parent, legal guardian,  
29 legal custodian, or relative placement, the family assessment  
30 response period may be extended up to one year. The department's  
31 extension of the family assessment response must be operated within  
32 the department's appropriations.

33 (d) Offer services to the family in a manner that makes it clear  
34 that acceptance of the services is voluntary;

35 (e) Implement the family assessment response in a consistent and  
36 cooperative manner;

37 (f) Have the parent or guardian agree to participate in services  
38 before services are initiated. The department shall inform the  
39 parents of their rights under family assessment response, all of

1 their options, and the options the department has if the parents do  
2 not agree to participate in services.

3 ~~((15))~~ (16)(a) In conducting an investigation or family  
4 assessment of alleged abuse or neglect, the department or law  
5 enforcement agency:

6 (i) May interview children. If the department determines that the  
7 response to the allegation will be family assessment response, the  
8 preferred practice is to request a parent's, guardian's, or  
9 custodian's permission to interview the child before conducting the  
10 child interview unless doing so would compromise the safety of the  
11 child or the integrity of the assessment. The interviews may be  
12 conducted on school premises, at day-care facilities, at the child's  
13 home, or at other suitable locations outside of the presence of  
14 parents. If the allegation is investigated, parental notification of  
15 the interview must occur at the earliest possible point in the  
16 investigation that will not jeopardize the safety or protection of  
17 the child or the course of the investigation. Prior to commencing the  
18 interview the department or law enforcement agency shall determine  
19 whether the child wishes a third party to be present for the  
20 interview and, if so, shall make reasonable efforts to accommodate  
21 the child's wishes. Unless the child objects, the department or law  
22 enforcement agency shall make reasonable efforts to include a third  
23 party in any interview so long as the presence of the third party  
24 will not jeopardize the course of the investigation; and

25 (ii) Shall have access to all relevant records of the child in  
26 the possession of mandated reporters and their employees.

27 (b) The Washington state school directors' association shall  
28 adopt a model policy addressing protocols when an interview, as  
29 authorized by this subsection, is conducted on school premises. In  
30 formulating its policy, the association shall consult with the  
31 department and the Washington association of sheriffs and police  
32 chiefs.

33 ~~((16))~~ (17) If a report of alleged abuse or neglect is founded  
34 and constitutes the third founded report received by the department  
35 within the last twelve months involving the same child or family, the  
36 department shall promptly notify the office of the family and  
37 children's ombuds of the contents of the report. The department shall  
38 also notify the ombuds of the disposition of the report.

1       (~~(17)~~) (18) In investigating and responding to allegations of  
2 child abuse and neglect, the department may conduct background checks  
3 as authorized by state and federal law.

4       (~~(18)~~) (19)(a) The department shall maintain investigation  
5 records and conduct timely and periodic reviews of all founded cases  
6 of abuse and neglect. The department shall maintain a log of  
7 screened-out nonabusive cases.

8       (b) In the family assessment response, the department shall not  
9 make a finding as to whether child abuse or neglect occurred. No one  
10 shall be named as a perpetrator and no investigative finding shall be  
11 entered in the department's child abuse or neglect database.

12       (~~(19)~~) (20) The department shall use a risk assessment process  
13 when investigating alleged child abuse and neglect referrals. The  
14 department shall present the risk factors at all hearings in which  
15 the placement of a dependent child is an issue. Substance abuse must  
16 be a risk factor.

17       (~~(20)~~) (21) Upon receipt of a report of alleged abuse or  
18 neglect the law enforcement agency may arrange to interview the  
19 person making the report and any collateral sources to determine if  
20 any malice is involved in the reporting.

21       (~~(21)~~) (22) Upon receiving a report of alleged abuse or neglect  
22 involving a child under the court's jurisdiction under chapter 13.34  
23 RCW, the department shall promptly notify the child's guardian ad  
24 litem of the report's contents. The department shall also notify the  
25 guardian ad litem of the disposition of the report. For purposes of  
26 this subsection, "guardian ad litem" has the meaning provided in RCW  
27 13.34.030.

28       (~~(22)~~) (23) The department shall make efforts as soon as  
29 practicable to determine the military status of parents whose  
30 children are subject to abuse or neglect allegations. If the  
31 department determines that a parent or guardian is in the military,  
32 the department shall notify a department of defense family advocacy  
33 program that there is an allegation of abuse and neglect that is  
34 screened in and open for investigation that relates to that military  
35 parent or guardian.

36       (~~(23)~~) (24) The department shall make available on its public  
37 website a downloadable and printable poster that includes the  
38 reporting requirements included in this section. The poster must be  
39 no smaller than eight and one-half by eleven inches with all  
40 information on one side. The poster must be made available in both

1 the English and Spanish languages. Organizations that include  
2 employees or volunteers subject to the reporting requirements of this  
3 section must clearly display this poster in a common area. At a  
4 minimum, this poster must include the following:

- 5 (a) Who is required to report child abuse and neglect;
- 6 (b) The standard of knowledge to justify a report;
- 7 (c) The definition of reportable crimes;
- 8 (d) Where to report suspected child abuse and neglect; and
- 9 (e) What should be included in a report and the appropriate  
10 timing.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 26.44  
12 RCW to read as follows:

13 (1) Subject to availability of amounts appropriated for this  
14 specific purpose, the governor shall facilitate the establishment of  
15 a dedicated interagency team to develop and implement a chronic  
16 neglect response team that is prepared to respond appropriately to  
17 support families involved in chronic child neglect cases.

18 (2) The interagency team consists of the following members: The  
19 department; the department of social and health services; and the  
20 health care authority.

21 (3) As part of the development and implementation of the chronic  
22 neglect response team, the department shall develop and implement a  
23 system for:

24 (a) Referring and identifying families and children that should  
25 be served by the chronic neglect response team; and

26 (b) Initiating use of the chronic neglect response team in a  
27 timely manner.

28 (4) By November 1, 2026, and annually thereafter, and in  
29 compliance with RCW 43.01.036, the department shall report to the  
30 legislature data and recommendations related to the chronic neglect  
31 response team created in this section. The report must include the  
32 following:

33 (a) The number of families and children referred to the chronic  
34 neglect response team;

35 (b) The demographic data of the people served by the chronic  
36 neglect response team;

37 (c) The number of families who applied for and received public  
38 assistance as a result of the chronic neglect response team's  
39 assistance;



1 (d) The number of families and children served by family resource  
2 centers as a result of the chronic neglect response team's  
3 assistance;

4 (e) Any of the other types of services identified as needed by  
5 the families and children served by the chronic neglect response  
6 team; and

7 (f) Any barriers identified to adequately address the needs of  
8 the families and children referred to the chronic neglect response  
9 team and recommendations to address those barriers.

--- **END** ---