

**Chapter 74.14B RCW
CHILDREN'S SERVICES**

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RCW 74.14B.005 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of children, youth, and families.

(2) "Secretary" means the secretary of the department of children, youth, and families. [2019 c 470 § 18; 2019 c 64 § 26.]

Reviser's note: The language in this section was enacted by 2019 c 64 § 26 and by 2019 c 470 § 18, each without reference to the other. For purposes of publication, this section incorporates both 2019 c 64 § 26 and 2019 c 470 § 18.

RCW 74.14B.010 Child welfare workers—Hiring and training. (1) Child welfare workers shall meet minimum standards established by the department. Comprehensive training for child welfare workers shall be completed before such child welfare workers are assigned to case-carrying responsibilities as the sole worker assigned to a particular case. Intermittent, part-time, and standby child welfare workers shall be subject to the same minimum standards and training.

(2) Ongoing specialized training shall be provided for child welfare workers responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.

(3) The department, the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children, including law enforcement, prosecution, and child protective services.

(4) The training required by this section shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with

developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; (i) address documentation of investigative interviews; and (j) include self-care for child welfare workers.

(5) The identification of domestic violence is critical in ensuring the safety of children in the child welfare system. It is also critical for child welfare workers to support victims of domestic violence while victims continue to care for their children, when possible, as domestic violence perpetrated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself as provided in RCW 26.44.020. For these reasons, ongoing domestic violence training and consultation shall be provided to child welfare workers, including how to use the department's practice guide to domestic violence.

(6) By January 1, 2021, the department shall:

(a) Develop and implement an evidence-informed curriculum for supervisors providing support to child welfare workers to better prepare candidates for effective supervisory and leadership roles within the department;

(b) Develop specialized training for child welfare workers that includes simulation and coaching designed to improve clinical and analytical skills;

(c) Based on the report required under *RCW 43.216.7501(3), develop and implement training for child welfare workers that incorporates trauma-informed care and reflective supervision principles.

(7) For purposes of this section, "child welfare worker" means an employee of the department whose job includes supporting or providing child welfare services as defined in RCW 74.13.020 or child protective services as defined in RCW 26.44.020. [2019 c 470 § 27; 2018 c 58 § 79; 2017 3rd sp.s. c 6 § 506; 2013 c 254 § 5; 1999 c 389 § 5; 1987 c 503 § 8.]

***Reviser's note:** RCW 43.216.7501 expired July 1, 2021.

Effective date—2018 c 58: See note following RCW 28A.655.080.

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

RCW 74.14B.020 Foster parent training. The department shall, within funds appropriated for this purpose, provide foster parent training as an ongoing part of the foster care program. The department shall contract for a variety of support services to foster parents to reduce isolation and stress, and to increase skills and confidence. [1987 c 503 § 11.]

RCW 74.14B.030 Child abuse and neglect—Multidisciplinary teams. The department shall establish and maintain one or more

multidisciplinary teams in each state region of the division of children and family services. The team shall consist of at least four persons, selected by the department, from professions which provide services to abused and neglected children and/or the parents of such children. The teams shall be available for consultation on all cases where a risk exists of serious harm to the child and where there is dispute over whether out-of-home placement is appropriate. [1987 c 503 § 12.]

RCW 74.14B.040 Child abuse and neglect—Therapeutic day care and treatment. The department shall, within funds appropriated for this purpose, provide therapeutic day care and day treatment to children who have been abused or neglected and meet program eligibility criteria. [1987 c 503 § 13.]

RCW 74.14B.050 Child abuse and neglect—Counseling referrals. The department shall inform victims of child abuse and neglect and their families of the availability of state-supported counseling through the crime victims' compensation program, community mental health centers, domestic violence and sexual assault programs, and other related programs. The department shall assist victims with referrals to these services. [2017 3rd sp.s. c 6 § 507; 1987 c 503 § 14.]

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

RCW 74.14B.070 Child victims of sexual assault, sexual abuse, or commercial sexual exploitation—Identification, treatment, and services—Report—Work group. (1) The department shall, subject to available funds, establish a system of early identification and referral to treatment of child victims of sexual assault or sexual abuse. The system shall include schools, physicians, sexual assault centers, domestic violence centers, child protective services, and foster parents. A mechanism shall be developed to identify communities that have experienced success in this area and share their expertise and methodology with other communities statewide.

(2) The department shall provide services to support children it suspects have been commercially sexually exploited. The child may decide whether to voluntarily engage in the services offered by the department.

(a) To provide services supporting children it suspects have been commercially sexually exploited, the department may provide:

(i) At least one liaison position in each region of the department where receiving center programs are established under RCW 7.68.380 who are dedicated to serving commercially sexually exploited children and who report directly to the statewide program manager under (a)(ii) of this subsection;

(ii) One statewide program manager;

(iii) A designated person responsible for supporting commercially sexually exploited children, who may be assigned other duties in addition to this responsibility, in regions of the department where there is not a dedicated liaison position as identified under (a) (i) of this subsection; and

(iv) Coordinate appropriate, available, community-based services for children following discharge from an evaluation and treatment facility as defined in RCW 71.34.020, including the receiving centers established in RCW 7.68.380.

(b) The department shall collect nonidentifiable data regarding the number of commercially sexually exploited children, including reports of commercially sexually exploited children received from law enforcement under chapter 26.44 RCW.

(3) The department shall provide an annual report to the commercially sexually exploited children statewide coordinating committee established under *RCW 7.68.801 by December 1st that includes:

(a) A description of services provided by the department to commercially sexually exploited children; and

(b) Nonidentifiable data regarding the number of commercially sexually exploited children.

(4) The department may solicit and accept gifts, grants, conveyances, bequests, and devices for supporting the purposes of this section.

(5) Nothing in this section shall be construed to create a private right of action against the department for failure to identify, offer, or provide services.

(6) The department shall convene a work group to study, analyze, and issue recommendations regarding how decriminalizing prostitution and prostitution loitering for persons under eighteen will impact law enforcement and prosecutor efforts and ability to discover and access the victim's cell phone records to aid in prosecution of the perpetrator or abuser. The work group must issue recommendations to appropriate committees of the legislature by October 31, 2021. [2020 c 331 § 9; 2017 3rd sp.s. c 6 § 508; 1990 c 3 § 1403.]

***Reviser's note:** RCW 7.68.801 expired June 30, 2023.

Finding—2020 c 331: See note following RCW 7.68.380.

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

RCW 74.14B.080 Liability insurance for foster parents. (1)

Subject to subsection (2) of this section, the secretary shall provide liability insurance to foster parents licensed under chapter 74.15 RCW. The coverage shall be for personal injury and property damage caused by foster parents or foster children that occurred while the children were in foster care. Such insurance shall cover acts of ordinary negligence but shall not cover illegal conduct or bad faith acts taken by foster parents in providing foster care. Moneys paid from liability insurance for any claim are limited to the amount by

which the claim exceeds the amount available to the claimant from any valid and collectible liability insurance.

(2) The secretary may purchase the insurance required in subsection (1) of this section or may choose a self-insurance method. The total moneys expended pursuant to this authorization shall not exceed five hundred thousand dollars per biennium. If the secretary elects a method of self-insurance, the expenditure shall include all administrative and staff costs. If the secretary elects a method of self-insurance, he or she may, by rule, place a limit on the maximum amount to be paid on each claim.

(3) Nothing in this section or RCW 4.24.590 is intended to modify the foster parent reimbursement plan in place on July 1, 1991.

(4) The liability insurance program shall be available by July 1, 1991. [2017 3rd sp.s. c 6 § 509; 1991 c 283 § 2.]

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Findings—1991 c 283: "The legislature recognizes the unique legal risks that foster parents face in taking children into their care. Third parties have filed claims against foster parents for losses and damage caused by foster children. Additionally, foster children and their parents have sued foster parents for actions occurring while the children were in foster care. The legislature finds that some potential foster parents are unwilling to subject themselves to potential liability without insurance protection. The legislature further finds that to encourage those people to serve as foster parents, it is necessary to assure that such insurance is available to them." [1991 c 283 § 1.]

Effective date—1991 c 283: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991." [1991 c 283 § 5.]

RCW 74.14B.902 Effective date—1987 c 503. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1987. [1987 c 503 § 22.]