

WSR 23-12-040
PROPOSED RULES
PARKS AND RECREATION
COMMISSION

[Filed May 30, 2023, 2:39 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-08-073.

Title of Rule and Other Identifying Information: Foster parent program, WAC 352-32-253.

Hearing Location(s): On July 13, 2023, at 9:00 a.m., at Ocean Shores Convention Center, 120 West Chance A La Mer N.W., Ocean Shores, WA 98569.

Date of Intended Adoption: July 13, 2023.

Submit Written Comments to: Ariel Ryon, 1111 Israel Road S.W., Tumwater, WA 98501-6512, email arielmarie.ryon@parks.wa.gov, by July 7, 2023.

Assistance for Persons with Disabilities: Contact Becki Ellison, phone 360-902-8502, fax 360-586-0355, TTY 711, email becki.ellison@parks.wa.gov, by July 7, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Update WAC to reflect requirement of state parks-issued pass for use of program, effective June 2024.

Reasons Supporting Proposal: Update will allow easier program access to eligible families, streamline the in-park verification process, and align with RCW 79A.05.065.

Statutory Authority for Adoption: RCW 79A.05.065.

Statute Being Implemented: RCW 79A.05.065.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: State parks will begin issuing the foster family pass June 2023, as authorized by RCW 79A.05.065. Program users will be able to use currently accepted documentation or the state parks issued pass through May 2024. Effective June 2024, only the state parks-issued pass will be accepted to access program benefits.

Name of Agency Personnel Responsible for Drafting: Keri Murphy, 1111 Israel Road S.W., Tumwater, 360-902-8518; Implementation: Ariel Ryon, 1111 Israel Road S.W., Tumwater, 360-902-8603; and Enforcement: Ariel Ryon and park staff, multiple locations, 360-902-8603.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Incorporates without material change, RCW 79A.05.065 (4) (a).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

May 30, 2023
Valeria Veasley
Management Analyst

OTS-4535.2

AMENDATORY SECTION (Amending WSR 19-04-075, filed 2/1/19, effective 3/4/19)

WAC 352-32-253 Foster ((parent)) family program. (1) Any Washington state resident who provides out-of-home care to a child as either a current licensed foster family home (~~((or a person related to the child is entitled to))~~) or kinship caregiver under RCW 74.13.600 when recreating with the child receiving out-of-home care, is entitled to apply for a Washington State Parks Foster Home Pass which provides day-use vehicle access to parks and free camping for two consecutive years.

(2) To receive a Foster Family Pass, the applicant must submit documents from one of the following categories:

(a) Caregiver ID card or foster license issued by the department of children, youth, and families, an award letter or TANF child-only grant from the department of social and health services, or verification of kinship caregiver eligibility from a sovereign tribal government; or

(b) Two of the following documents. A court order, tax return with both the parent and child's name, lease agreement with both the parent and child's name, or verification from a kinship navigator program.

(3) To use a campsite, the qualified resident shall:

(a) If the park is subject to the state parks reservation system, ((foster parents)) families will make reservations through the reservation services call center or online reservations system, pay the reservation fee, and show their foster home license ((or foster parent)), caregiver ID card, or valid Washington State Parks Foster Family Pass, along with their Washington state driver license or photo ID upon arrival at the park(s). Effective June 1, 2024, only a valid Washington State Parks Foster Family Pass with driver license or photo ID will be accepted.

(b) For nonreservation parks, ((the foster parents)) families, upon arrival at the park, will show their foster home license ((or foster parent)), caregiver ID card, or a valid Washington State Parks Foster Family Pass, along with their Washington state driver((s)) license or photo ID. Effective June 1, 2024, only a valid Washington State Parks Foster Family Pass with driver license or photo ID will be accepted.

((+2)) (4) The foster parent ((or relative)) or kinship caregiver to the child and the child receiving out-of-home care must be present for the duration of the stay.

((+3)) (5) Violations or abuse of these privileges((r)) granted under the Foster Family Pass including, but not limited to, the list below, may be subject to revocation, suspension of their privileges and/or assessed other fees.

(a) Duplicate or multiple reservations for the same night - ((Thirty)) 30-day suspension.

(b) Use of privileges by unauthorized person - ((Sixty)) 60-day suspension and/or a fee equal to two times the campsite fee.

(c) Two or more no-shows (failure to use or cancel reservation) for reservations - ((Ninety)) 90-day suspension.

(d) Repeated park rule violations - Minimum ((ninety)) 90-day suspension.

((4)) (6) Foster parents may appeal a suspension or revocation to the state parks director by mailing a written statement of the basis for appeal to the director within (~~ten~~) 10 days of receipt of the notice of suspension or revocation. The appeal may be decided as a brief adjudicative appeal under RCW 34.05.482 through 34.05.494, and will be decided by the director or designee. Unless the suspension period expires, the suspension will remain in effect during the pendency of an appeal.

[Statutory Authority: Chapter 79A.05 RCW. WSR 19-04-075, § 352-32-253, filed 2/1/19, effective 3/4/19. Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-253, filed 11/20/08, effective 12/21/08.]