

WSR 24-12-067

PERMANENT RULES

DEPARTMENT OF

CHILDREN, YOUTH, AND FAMILIES

[Filed June 3, 2024, 4:54 p.m., effective July 4, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department of children, youth, and families (DCYF) licensing division is amending WAC 110-148-1326 to give DCYF the authority to issue child-specific licenses to an Indian child's family or extended family member with children in the custody of an Indian tribe or the tribe's child-placing agency. This authority is required by SB 5683.

Citation of Rules Affected by this Order: Amending WAC 110-148-1326.

Statutory Authority for Adoption: SB 5683; RCW 74.15.125.

Adopted under notice filed as WSR 24-09-073 on April 16, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 3, 2024.

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OTS-5350.1

AMENDATORY SECTION (Amending WSR 22-16-028, filed 7/25/22, effective 8/25/22)

WAC 110-148-1326 Can I get a license to care for a specific child, and what are the requirements?

(1) Pursuant to RCW 74.15.125(7), the department may issue a child-specific license to:

(a) Relatives or suitable persons, as defined in RCW 13.36.020, to provide foster care services to a ((specified)) specific child and that child's siblings or relatives in the department's care and authority((=

~~(a) These~~); or

(b) An Indian child's family or extended family members, as defined in RCW 13.38.040, or suitable persons, as defined in RCW 13.36.020, to provide foster care services to a specific Indian child and that child's siblings or relatives in the custody of an Indian tribe, as defined in RCW 43.376.010, or the tribe's child placing agency.

(2) Placements of children in the care and authority of the department are at the discretion of the department.

~~((b))~~ (3) Licensees under this section may only receive placement of one or more specific children identified prior to the issuance of a license.

~~((2))~~ (4) The department must reassess licenses issued under this section when licensees want to:

(a) Add a child to their child specific license and that child was not identified prior to licensure; or

(b) Receive a general foster family home license.

~~((3))~~ (5) Reassessment under subsection ~~((2))~~ (4) of this section may require licensees to give up their current child specific licenses, complete new or additional training, or submit new licensing applications as a condition of receiving new or different licenses.

~~((4))~~ (6) Licensees under this section must meet the licensing requirements detailed in RCW 74.15.030(2) and this chapter.

~~((5))~~ (7) A child-specific license does not grant licensees the right to:

(a) Have a specific child placed in their care; or

(b) Be a party in any juvenile court proceeding under chapter 13.34 RCW.