

WSR 26-05-082
PROPOSED RULES
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES
[Filed February 18, 2026, 9:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-21-107.

Title of Rule and Other Identifying Information: WAC 110-30-0070
CPS responses to reports of alleged abuse or neglect of children and youth.

Hearing Location(s): On March 24, 2026, telephonic. Comments can be made by calling 360-972-5385 and leaving a voicemail that includes the comment, emailing the rules coordinator, or submitting comments to the online comment application linked below. All comments must be received by the date and time listed below.

Date of Intended Adoption: March 25, 2026.

Submit Written Comments to: The department of children, youth, and families (DCYF) rules coordinator, email dcyf.rulescoordinator@dcyf.wa.gov, web <https://dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online>, by March 24, 2026, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact DCYF rules coordinator, phone 360-522-3691, email dcyf.rulescoordinator@dcyf.wa.gov, relay 711, by March 17, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The child welfare division child protective services program is revising the existing rule to clarify information and to align with current practice of how DCYF employees respond to reports of abuse or neglect.

Proposed changes include clarifying timelines for child protective services employees to make initial contact with children and youth and completing an investigation or alternate response; and DCYF's legal authority to photograph and audio record alleged victims of abuse or neglect.

Reasons Supporting Proposal: See purpose.

Statutory Authority for Adoption: Chapter 26.44 RCW; and RCW 74.08.090, 74.13.031, and 74.04.050.

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

Name of Proponent: DCYF, governmental.

Name of Agency Personnel Responsible for Drafting: Sandy McCool, 425-677-0145; Implementation and Enforcement: DCYF, statewide.

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. DCYF is not among the agencies listed as required to comply with RCW 34.05.328 (5) (a) (i).

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(4).

Scope of exemption for rule proposal:

Is fully exempt.

February 18, 2026
Brenda Villarreal
Rules Coordinator

RDS-6986.1

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-30-0070 (~~How does CPS respond to reports of alleged child abuse or neglect?~~) CPS responses to reports of alleged abuse or neglect of children and youth. (~~(+1)~~) CPS:

(1) Must:

(a) Complete the following when responding to reports of allegations of abuse or neglect:

(i) Assess all reports ((that meet the definition of child)) of alleged abuse or neglect as defined in WAC 110-30-0030 using a risk assessment process to determine program type, risk level ((of risk)), and response time(~~(-~~

~~(2) CPS must))~~;

(ii) Provide an in-person response:

(A) To alleged victims ((and must attempt an in-person response to the alleged perpetrator of child abuse and neglect in referrals assessed at moderate to high risk.

~~(3) CPS may refer reports assessed at low to moderately low risk to an alternative response system.~~

~~(4) CPS))~~ or identified children or youth within the following time frames from the date and time the report was received:

(I) Twenty-four hours for emergent reports;

(II) Seventy-two hours for nonemergent reports; and

(B) To alleged subjects of abuse or neglect, if possible;

(iii) Make reasonable efforts to have an adult third party present at the child's or youth's interview if the presence of a third party does not interfere with the investigation, unless the child or youth objects;

(iv) Audio record interviews with alleged victims of abuse or neglect when there are serious allegations of sexual and physical abuse; and

(v) Photograph the alleged children or youth victims to document their physical condition per RCW 26.44.050, if applicable; and

(b) Attempt to complete investigations within 60 calendar days but not exceed beyond 90 calendar days unless:

(i) The investigation is being conducted under local county protocol, per chapter 26.44 RCW; or

(ii) A law enforcement agency or prosecuting attorney has determined a longer investigation period is necessary; and

(2) May interview ((a child,)) children or youth outside the presence of ((the parent,)) their parents or guardians without prior ((parental)) notification or consent ((RCW 26.44.030(10)).

~~(5) Unless the child objects, CPS must make reasonable efforts to have a third party present at the interview so long as the third party does not jeopardize the investigation (RCW 26.44.030).~~

~~(6) CPS may photograph the alleged child victim to document the physical condition of the child (RCW 26.44.050).~~

~~(7) CPS attempts to complete investigations within forty-five days. In no case shall the investigation extend beyond ninety days unless the investigation is being conducted under local protocol, established pursuant to chapter 26.44 RCW, and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary).~~