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**SENATE BILL 6623**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Darneille, Kuderer, Warnick, Zeiger, Das, Nguyen, and Saldaña

1 AN ACT Relating to reducing funding restrictions for host homes;  
2 and amending RCW 74.15.020.

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

4 **Sec. 1.** RCW 74.15.020 and 2019 c 172 s 10 are each amended to  
5 read as follows:

6 The definitions in this section apply throughout this chapter and  
7 RCW 74.13.031 unless the context clearly requires otherwise.

8 (1) "Agency" means any person, firm, partnership, association,  
9 corporation, or facility which receives children, expectant mothers,  
10 or persons with developmental disabilities for control, care, or  
11 maintenance outside their own homes, or which places, arranges the  
12 placement of, or assists in the placement of children, expectant  
13 mothers, or persons with developmental disabilities for foster care  
14 or placement of children for adoption, and shall include the  
15 following irrespective of whether there is compensation to the agency  
16 or to the children, expectant mothers, or persons with developmental  
17 disabilities for services rendered:

18 (a) "Child-placing agency" means an agency which places a child  
19 or children for temporary care, continued care, or for adoption;

20 (b) "Community facility" means a group care facility operated for  
21 the care of juveniles committed to the department under RCW

1 13.40.185. A county detention facility that houses juveniles  
2 committed to the department under RCW 13.40.185 pursuant to a  
3 contract with the department is not a community facility;

4 (c) "Crisis residential center" means an agency which is a  
5 temporary protective residential facility operated to perform the  
6 duties specified in chapter 13.32A RCW, in the manner provided in RCW  
7 43.185C.295 through 43.185C.310;

8 (d) "Emergency respite center" is an agency that may be commonly  
9 known as a crisis nursery, that provides emergency and crisis care  
10 for up to seventy-two hours to children who have been admitted by  
11 their parents or guardians to prevent abuse or neglect. Emergency  
12 respite centers may operate for up to twenty-four hours a day, and  
13 for up to seven days a week. Emergency respite centers may provide  
14 care for children ages birth through seventeen, and for persons  
15 eighteen through twenty with developmental disabilities who are  
16 admitted with a sibling or siblings through age seventeen. Emergency  
17 respite centers may not substitute for crisis residential centers or  
18 HOPE centers, or any other services defined under this section, and  
19 may not substitute for services which are required under chapter  
20 13.32A or 13.34 RCW;

21 (e) "Foster-family home" means an agency which regularly provides  
22 care on a twenty-four hour basis to one or more children, expectant  
23 mothers, or persons with developmental disabilities in the family  
24 abode of the person or persons under whose direct care and  
25 supervision the child, expectant mother, or person with a  
26 developmental disability is placed;

27 (f) "Group-care facility" means an agency, other than a foster-  
28 family home, which is maintained and operated for the care of a group  
29 of children on a twenty-four hour basis. "Group care facility"  
30 includes but is not limited to:

31 (i) Qualified residential treatment programs as defined in RCW  
32 13.34.030;

33 (ii) Facilities specializing in providing prenatal, postpartum,  
34 or parenting supports for youth; and

35 (iii) Facilities providing high-quality residential care and  
36 supportive services to children who are, or who are at risk of  
37 becoming, victims of sex trafficking;

38 (g) "HOPE center" means an agency licensed by the secretary to  
39 provide temporary residential placement and other services to street  
40 youth. A street youth may remain in a HOPE center for thirty days

1 while services are arranged and permanent placement is coordinated.  
2 No street youth may stay longer than thirty days unless approved by  
3 the department and any additional days approved by the department  
4 must be based on the unavailability of a long-term placement option.  
5 A street youth whose parent wants him or her returned to home may  
6 remain in a HOPE center until his or her parent arranges return of  
7 the youth, not longer. All other street youth must have court  
8 approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center  
9 up to thirty days;

10 (h) "Maternity service" means an agency which provides or  
11 arranges for care or services to expectant mothers, before or during  
12 confinement, or which provides care as needed to mothers and their  
13 infants after confinement;

14 (i) "Resource and assessment center" means an agency that  
15 provides short-term emergency and crisis care for a period up to  
16 seventy-two hours, excluding Saturdays, Sundays, and holidays to  
17 children who have been removed from their parent's or guardian's care  
18 by child protective services or law enforcement;

19 (j) "Responsible living skills program" means an agency licensed  
20 by the secretary that provides residential and transitional living  
21 services to persons ages sixteen to eighteen who are dependent under  
22 chapter 13.34 RCW and who have been unable to live in his or her  
23 legally authorized residence and, as a result, the minor lived  
24 outdoors or in another unsafe location not intended for occupancy by  
25 the minor. Dependent minors ages fourteen and fifteen may be eligible  
26 if no other placement alternative is available and the department  
27 approves the placement;

28 (k) "Service provider" means the entity that operates a community  
29 facility.

30 (2) "Agency" shall not include the following:

31 (a) Persons related to the child, expectant mother, or person  
32 with developmental disability in the following ways:

33 (i) Any blood relative, including those of half-blood, and  
34 including first cousins, second cousins, nephews or nieces, and  
35 persons of preceding generations as denoted by prefixes of grand,  
36 great, or great-great;

37 (ii) Stepfather, stepmother, stepbrother, and stepsister;

38 (iii) A person who legally adopts a child or the child's parent  
39 as well as the natural and other legally adopted children of such

1 persons, and other relatives of the adoptive parents in accordance  
2 with state law;

3 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of  
4 this subsection (2), even after the marriage is terminated;

5 (v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this  
6 subsection (2), of any half sibling of the child; or

7 (vi) Extended family members, as defined by the law or custom of  
8 the Indian child's tribe or, in the absence of such law or custom, a  
9 person who has reached the age of eighteen and who is the Indian  
10 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
11 or sister-in-law, niece or nephew, first or second cousin, or  
12 stepparent who provides care in the family abode on a twenty-four-  
13 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

14 (b) Persons who are legal guardians of the child, expectant  
15 mother, or persons with developmental disabilities;

16 (c) Persons who care for a neighbor's or friend's child or  
17 children, with or without compensation, where the parent and person  
18 providing care on a twenty-four-hour basis have agreed to the  
19 placement in writing and the state is not providing any payment for  
20 the care;

21 (d) A person, partnership, corporation, or other entity that  
22 provides placement or similar services to exchange students or  
23 international student exchange visitors or persons who have the care  
24 of an exchange student in their home;

25 (e) A person, partnership, corporation, or other entity that  
26 provides placement or similar services to international children who  
27 have entered the country by obtaining visas that meet the criteria  
28 for medical care as established by the United States citizenship and  
29 immigration services, or persons who have the care of such an  
30 international child in their home;

31 (f) Schools, including boarding schools, which are engaged  
32 primarily in education, operate on a definite school year schedule,  
33 follow a stated academic curriculum, accept only school-age children  
34 and do not accept custody of children;

35 (g) Hospitals licensed pursuant to chapter 70.41 RCW when  
36 performing functions defined in chapter 70.41 RCW, nursing homes  
37 licensed under chapter 18.51 RCW and assisted living facilities  
38 licensed under chapter 18.20 RCW;

39 (h) Licensed physicians or lawyers;

40 (i) Facilities approved and certified under chapter 71A.22 RCW;

1 (j) Any agency having been in operation in this state ten years  
2 prior to June 8, 1967, and not seeking or accepting moneys or  
3 assistance from any state or federal agency, and is supported in part  
4 by an endowment or trust fund;

5 (k) Persons who have a child in their home for purposes of  
6 adoption, if the child was placed in such home by a licensed child-  
7 placing agency, an authorized public or tribal agency or court or if  
8 a replacement report has been filed under chapter 26.33 RCW and the  
9 placement has been approved by the court;

10 (l) An agency operated by any unit of local, state, or federal  
11 government or an agency licensed by an Indian tribe pursuant to RCW  
12 74.15.190;

13 (m) A maximum or medium security program for juvenile offenders  
14 operated by or under contract with the department;

15 (n) An agency located on a federal military reservation, except  
16 where the military authorities request that such agency be subject to  
17 the licensing requirements of this chapter;

18 (o) A host home program, and host home, operated by a tax exempt  
19 organization for youth not in the care of or receiving services from  
20 the department, if that program: (i) Recruits and screens potential  
21 homes in the program, including performing background checks on  
22 individuals over the age of eighteen residing in the home through the  
23 Washington state patrol or equivalent law enforcement agency and  
24 performing physical inspections of the home; (ii) screens and  
25 provides case management services to youth in the program; (iii)  
26 obtains a notarized permission slip or limited power of attorney from  
27 the parent or legal guardian of the youth authorizing the youth to  
28 participate in the program and the authorization is updated every six  
29 months when a youth remains in a host home longer than six months;  
30 (iv) obtains insurance for the program through an insurance provider  
31 authorized under Title 48 RCW; (v) provides mandatory reporter and  
32 confidentiality training; and (vi) registers with the secretary of  
33 state as provided in RCW 24.03.550. A host home is a private home  
34 that volunteers to host youth in need of temporary placement that is  
35 associated with a host home program. Any host home program that  
36 receives local, state, or government funding shall report the  
37 following information to the office of homeless youth prevention and  
38 protection programs annually by December 1st of each year: The number  
39 of children the program served, why the child was placed with a host  
40 home, and where the child went after leaving the host home, including

1 but not limited to returning to the parents, running away, reaching  
2 the age of majority, or becoming a dependent of the state. (~~A host  
3 home program shall not receive more than one hundred thousand dollars  
4 per year of public funding, including local, state, and federal  
5 funding. A host home shall not receive any local, state, or  
6 government funding.~~)

7 (3) "Department" means the department of children, youth, and  
8 families.

9 (4) "Juvenile" means a person under the age of twenty-one who has  
10 been sentenced to a term of confinement under the supervision of the  
11 department under RCW 13.40.185.

12 (5) "Performance-based contracts" or "contracting" means the  
13 structuring of all aspects of the procurement of services around the  
14 purpose of the work to be performed and the desired results with the  
15 contract requirements set forth in clear, specific, and objective  
16 terms with measurable outcomes. Contracts may also include provisions  
17 that link the performance of the contractor to the level and timing  
18 of the reimbursement.

19 (6) "Probationary license" means a license issued as a  
20 disciplinary measure to an agency that has previously been issued a  
21 full license but is out of compliance with licensing standards.

22 (7) "Requirement" means any rule, regulation, or standard of care  
23 to be maintained by an agency.

24 (8) "Secretary" means the secretary of the department.

25 (9) "Street youth" means a person under the age of eighteen who  
26 lives outdoors or in another unsafe location not intended for  
27 occupancy by the minor and who is not residing with his or her parent  
28 or at his or her legally authorized residence.

29 (10) "Transitional living services" means at a minimum, to the  
30 extent funds are available, the following:

31 (a) Educational services, including basic literacy and  
32 computational skills training, either in local alternative or public  
33 high schools or in a high school equivalency program that leads to  
34 obtaining a high school equivalency degree;

35 (b) Assistance and counseling related to obtaining vocational  
36 training or higher education, job readiness, job search assistance,  
37 and placement programs;

38 (c) Counseling and instruction in life skills such as money  
39 management, home management, consumer skills, parenting, health care,

1 access to community resources, and transportation and housing  
2 options;

3 (d) Individual and group counseling; and

4 (e) Establishing networks with federal agencies and state and  
5 local organizations such as the United States department of labor,  
6 employment and training administration programs including the  
7 workforce innovation and opportunity act which administers private  
8 industry councils and the job corps; vocational rehabilitation; and  
9 volunteer programs.

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