

Chapter 110-148 WAC
LICENSING REQUIREMENTS FOR CHILD FOSTER HOMES

(Formerly: Chapter 388-148 WAC)

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WAC

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PURPOSE AND DEFINITIONS

WAC 110-148-1300 What is the purpose of this chapter? (1) This chapter contains licensing requirements for all foster homes licensed directly by the department or certified through a child placing agency. Unless noted otherwise, these requirements apply to you if you are licensed to provide foster care.

(2) Licensing requirements are designed to ensure children who are in foster care are safe, healthy and protected from all forms of child abuse and neglect according to RCW 26.44.020(1) and chapter 110-30 WAC.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1300, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1300, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1300, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1305 What definitions do I need to know to understand this chapter? The following definitions are for the purpose of this chapter and are important to understanding these requirements:

"Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment of a child as defined in RCW 26.44.020.

"Adult" means a person 18 years of age and older, not in the care of the department.

"Agency" is defined in RCW 74.15.020(1).

"Asexual" means the lack of a sexual attraction or desire for other individuals.

"Bisexual" means individuals who have an emotional or physical attraction to individuals of the same and different genders.

"Capacity" means the age range and maximum number of children on your current license.

"Care provider" means any person who is licensed or authorized to provide care for children, and cleared to have unsupervised access to children under the authority of a license.

"Case manager" means the private agency employee who coordinates the planning efforts of all the persons working on behalf of a child.

"Case plan" means a written document adhered to and followed by a foster child's parent or parents, foster parent or parents, the department, and all other caregivers. A case plan may include, but is not limited to:

(a) A description of the type of home or facility in which a child is to be placed, including a discussion of the safety and appropriateness of the placement and how the department plans to carry out the voluntary placement agreement entered into or judicial determination made with respect to the child;

(b) A plan for assuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents' home, facilitate return of the child to their own safe home or the permanent placement of the child, and address the needs of the child while in foster care, including a discussion of the appropriateness of the services that have been provided to the child under the plan;

(c) The health and education records of the child, including the most recent information available regarding:

(i) The names and addresses of the child's health and educational providers;

(ii) The child's grade level performance;

(iii) The child's school record;

(iv) A record of the child's immunizations;

(v) The child's known medical conditions;

(vi) The child's medications; and

(vii) Any other relevant health and education information concerning the child determined to be appropriate by the department;

(d) Relevant professional assessments of the child;

(e) Court orders concerning the child; and

(f) Any other relevant plan, assessment, knowledge, material, or information concerning the child determined to be appropriate by the department.

"Caseworker" means the primary agency worker assigned to the child through DCYF or another government agency.

"Certification" means either:

(a) Our review of whether you meet the licensing requirements, even though you do not need to be licensed; or

(b) A licensed child placing agency (CPA) representing that a foster home being supervised by that CPA meets licensing requirements. The final decision for licensing is the responsibility of DCYF.

"Chapter" means chapter 110-148 WAC.

"Child," "children," or "youth" for this chapter, means a person who is one of the following:

(a) Under 18 years of age;

(b) Up to 21 years of age and enrolled in services through department of social and health services, developmental disabilities administration (DDA) the day prior to his or her 18th birthday and pursuing either a high school or equivalency course of study (GED/HSEC), or vocational program;

(c) Up to 21 years of age and participates in the extended foster care program;

(d) Up to 21 years of age with intellectual and developmental disabilities;

(e) Up to 25 years of age and under the custody of juvenile rehabilitation.

"Child placing agency (CPA)" means an agency licensed to place children for foster care or adoption.

"Child welfare" or "CW" means the division of child welfare within DCYF. CW provides case management to children and families involved in the child welfare system.

"Compliance agreement" means a written improvement plan to address the changes needed to meet licensing requirements.

"DDA" means the department of social and health services, developmental disabilities administration.

"Department" or "DCYF" means the department of children, youth, and families.

"Developmental disability" is a disability as defined in RCW 71A.10.020.

"FBI" means the Federal Bureau of Investigation.

"Foster home or foster family home" means a person(s) licensed to regularly provide 24-hour care in their home to children.

"Gay" means a sexual orientation to describe individuals who are emotionally or physically attracted to someone of the same gender. Gay is sometimes an umbrella term for the LGBTQIA+ community.

"Gender" or "gender identity" means an individual's inner sense of being a female, male, a blend of both or neither, or another gender. This may or may not correspond with an individual's sex assigned at birth.

"Gender expression" means individuals' outward communication of their gender through behavior or appearance. This may or may not conform to their sex assigned at birth or socially defined behaviors and characteristics typically associated with being either masculine or feminine.

"Gender fluid" means individuals whose gender identities are flexible, not permanent.

"Guardian" has the same meaning in this chapter as defined in RCW 26.33.020(11).

"Guns or weapons" means any device intended to shoot projectiles under pressure or that can be used to attack. These include but are not limited to BB guns, pellet guns, air rifles, stun guns, antique guns, handguns, rifles, shotguns and archery equipment.

"Hearing" means the administrative review process conducted by an administrative law judge.

"I, my, you, and your" refers to an applicant for a license issued under this chapter, and to any party holding a license under this chapter.

"Infant" means a child less than 12 months of age.

"Intellectual and developmental disability" means children with deficits in general mental abilities and impairment in everyday adaptive functioning.

"Intersex" is an umbrella term used to describe a wide range of natural bodily variations when the body is born with a combination of chromosomes, internal organs, or external genitalia that do not develop as expected.

"Lesbian" means females or women who have an emotional or physical attraction for other females or women.

"LGBTQIA+" means lesbian, gay, bisexual, transgender, queer or questioning, intersex, and asexual. The "+" represents identities not specifically named in the LGBTQIA acronym, e.g., pansexual, gender nonbinary, and Two-Spirit.

"License" means a permit issued by us confirming that you and your home meet the licensing standards established in this chapter.

"Licensed health care provider" means a medical doctor (MD), doctor of osteopathy (DO), doctor of naturopathy (ND), physician's assistant (PA), or an advanced registered nurse practitioner (ARNP).

"Licensing division (LD)" means the division within DCYF that licenses and monitors foster homes, child placing agencies, and licensed group care facilities.

"Licensor" means either:

(a) A LD employee who recommends approvals for, or monitors licenses or certifications for facilities and agencies established under this chapter; or

(b) An employee of a CPA who certifies or monitors foster homes supervised by the CPA.

"Maternity services" as defined in RCW 74.15.020. These are also referred to as pregnant and parenting youth programs.

"Medically fragile" means the condition of a child who requires the availability of 24-hour skilled care from a health care professional or specially trained family or foster family member. These conditions may be present all the time or frequently occurring. If the technology, support, and services being received by the medically fragile children are interrupted or denied, the child may, without immediate health care intervention, experience death.

"Missing child" means any child less than 18 years of age in licensed care or under the care, custody, and authority of DCYF and the child's whereabouts are unknown or the child has left care without the permission of the child's caregiver or DCYF. This does not include children in dependency guardianship.

"Nonambulatory" means not able to walk or exit to safety without the physical assistance of another individual.

"Nonbinary" is a term of self-identification for individuals who do not identify within the limited and binary terms that have described gender identity, e.g., female and male. Nonbinary is also an umbrella term for many identities such as gender expansive, gender fluid, and genderqueer.

"Out-of-home placement" means a child's placement in a home or facility other than the home of a child's parent, guardian, or legal custodian.

"Parent" has the same meaning in this chapter as defined in RCW 26.26A.010(15).

"Probationary license" means a license issued as part of a corrective action to an individual or agency that has previously been issued a full license but is out of compliance with minimum licensing requirements and has entered into an agreement aimed at correcting deficiencies.

"Property or premises" means your buildings and grounds adjacent to your residential property that are owned or managed by you.

"Psychotropic medication" means a type of medicine prescribed to affect or alter thought processes, mood, sleep, or behavior. These include anti-psychotic, anti-depressant, and anti-anxiety medications.

"Queer" is a term used to express LGBTQIA+ identities and orientations. The term is sometimes used as an umbrella term for all LGBTQIA+ individuals.

"Questioning" means individuals who are exploring their sexual orientation, gender identity, or gender expression at any age.

"Relative" means a person who is related to a child as defined in RCW 74.15.020.

"Respite" means brief, temporary relief care provided by an in-home or out-of-home provider paid by the department. The respite pro-

vider fulfills some or all of the care provider responsibilities for a short time.

"Sexual orientation" means an individual's emotional or physical attraction to other individuals.

"SOGIE" is an acronym for sexual orientation, gender identity, and expression which are distinct identifiers everyone has. LGBTQIA+ is a subdistinction within SOGIE self-identifiers. SOGIE includes LGBTQIA+ as well as heterosexual, cisgender, and nonquestioning individuals.

"Transgender" is an umbrella term for individuals whose gender identity or expression is different from cultural expectations based on the sex they were assigned at birth. Gender-affirming medical care is not a prerequisite to identify as transgender. Being transgender does not imply any specific sexual orientation.

"Treatment plan" means individual plans that identify the service needs of the child, including the child's parent or guardian, and identifies the treatment goals and strategies for achieving those goals.

"Two-Spirit" means a modern, pan-indigenous umbrella term used by some indigenous North Americans to describe Native people in their communities who fulfill a traditional third-gender or other gender-variant, ceremonial, and social role in their cultures. Being Two-Spirit does not imply any specific sexual orientation.

"Washington state patrol fire protection bureau or WSP/FPB" means the state fire marshal.

"We, our, and us" refers to the department of children, youth, and families, including LD and CW staff.

"Young child" refers to a child age 12 months through eight years old.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1305, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1305, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832. WSR 18-11-138, § 388-148-1305, filed 5/23/18, effective 6/23/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1305, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1305, filed 12/11/14, effective 1/11/15.]

LICENSING PROCESS

WAC 110-148-1310 Am I required to have a license to provide care to children? You must be licensed if you provide care on a twenty-four hour basis to a child who is not related to you. Exceptions to this rule are listed in RCW 74.15.020 or by order of the court under chapters 26.10 RCW or RCW 13.34.065.

[WSR 18-14-078, recodified as § 110-148-1310, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020,

13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1310, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1315 How is an application submitted? (1) You must complete your licensing application packet with all LD required documents within 90 days of submitting the application and background authorization forms to the department.

(2) If you do not meet this 90-day deadline, your licensor may withdraw your application.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1315, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1315, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1315, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1320 When will the department grant me a foster family license? (1) We issue you a license when you and everyone in your household meet the licensing requirements contained in this chapter, and all required documents are in the licensing file. In addition, you must maintain all requirements in this chapter and provide verification to your licensor, if requested.

(2) You and other caregivers over the age of 18 must:

(a) Complete first aid and age-appropriate, adult or infant, cardiopulmonary resuscitation (CPR) training. Training must be department approved and accredited with nationally recognized standards; and

(b) Complete bloodborne pathogens training including infection control standards consistent with educational materials published by the department of health.

(3) You, your household members, individuals living on any part of your property, and anyone else having unsupervised contact with your foster children must pass a background check, as required by chapter 110-04 WAC:

(a) Anyone 16 years old or older must pass a background check;

(b) Anyone younger than 16 years old must pass a background check if the department determines one is warranted to ensure the safety of a child;

(c) Anyone 18 years old or older must pass an FBI fingerprint-based background check, unless the individual is unable to obtain fingerprints due to a mental or physical disability and can provide documentation of such disability to the department; and

(d) Anyone 18 years old or older must complete a child abuse and neglect registry check from each state they have lived in over the past five years indicating:

(i) No license denials or revocations from an agency that regulates the care of children or vulnerable adults, unless the department determines that you do not pose a risk to a child's health, safety, well-being and long-term stability; and

(ii) No finding or substantiation of abuse or neglect of a child or a vulnerable adult, unless the department determines that you do not pose a risk to a child's safety, well-being, and long-term stability.

(4) You and your household members over the age of 18 must complete a tuberculosis (TB) screening. The department may require a medical evaluation or TB test that is a purified protein derivative skin test or a blood test, based on the results of the TB screening. If there is a positive evaluation or TB test, then the individual must submit a physician's statement identifying that there is no active TB or risk of contagion to children in care.

(5) For any children living in the household not receiving out-of-home care, you must have proof of current immunizations for all vaccine-preventable diseases detailed in WAC 246-105-030. For all children not receiving out-of-home care, we may grant a medical exception to this requirement if the immunization is contrary to the child's health as documented by a licensed health care provider on a certificate of exemption.

(6) You and all household members must have pertussis and influenza immunizations to serve foster children who are:

(a) Under the age of two; or

(b) Medically fragile as defined in WAC 110-148-1305.

(c) A medical exception may be granted if the immunization is contrary to your or the household member's health as documented by a licensed health care provider.

(7) Before granting or renewing a license, your licensor will assess your ability to provide a safe home and to provide the quality of care needed by children placed in your home. Your licensor will also determine that you meet training requirements.

(8) Foster children under the care and authority of the department living in your home do not need to obtain a criminal history check, FBI fingerprint check, or TB test.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1320, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1320, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1320, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832, and 2017 c 20 § 4. WSR 18-05-037, § 388-148-1320, filed 2/13/18, effective 3/16/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, and 74.13.031. WSR 16-01-121, § 388-148-1320, filed 12/18/15, effective 1/18/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1320, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1321 May I request a provisional expedited foster family license? (1) You may request a provisional expedited foster family license if you meet all of the following requirements:

(a) You have been licensed to provide foster care within the previous five years;

(b) You have not had your foster care license closed due to a denial, revocation, or an agreement to relinquish;

(c) You reside in the same home in which you previously held a foster care license and no additional individuals have moved into your home;

(d) You are applying for an expedited license that will be supervised by the same agency that previously licensed or certified you and the agency agrees to supervise your home; and

(e) You and all household members age sixteen years old and older have passed the required background check for this provisional expedited foster family license.

(2) To initiate a provisional expedited license, you must submit a completed expedited license application and completed background check authorization forms for all household members who are sixteen years old and older to DLR or a licensed child-placing agency.

(3) In order for your full license to be processed you must submit your licensing application packet within fourteen days. Application packets are available from DLR and licensed child-placing agencies.

(4) You will be issued a provisional expedited foster family license if you have submitted the policy agreements and all of the required household members in your home have passed the required background check. The provisional expedited foster family license will be issued for ninety days and will close after ninety days.

(5) Your licensing or certifying agency will continue to work with you and make every effort to ensure that individuals qualified for and seeking a provisional expedited foster family license may become fully foster care licensed within forty days of the department's receipt of a complete application for a provisional expedited foster family license.

(6) You do not have the right to appeal the department's decision that you do not meet the criteria for a provisional expedited foster family license.

[WSR 18-14-078, recodified as § 110-148-1321, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832, and 2017 c 20 § 4. WSR 18-05-037, § 388-148-1321, filed 2/13/18, effective 3/16/18.]

WAC 110-148-1325 How is a license issued and where is it kept?

(1) We will issue a foster family license for the name and address shown on your application when requirements have been met. If you move, we must visit your new home to determine whether you continue to meet licensing requirements. Your license cannot be transferred to someone else.

(2) Your license is issued for a three-year period.

(3) You must keep your foster family license at your home available for viewing if requested.

[WSR 18-14-078, recodified as § 110-148-1325, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1325, filed 12/11/14, effective 1/11/15.]

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 specific child and that child's siblings or relatives in the department's care and authority; 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.

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

(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.

(5) Reassessment under subsection (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.

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

(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.

[Statutory Authority: 2023 c 127 and RCW 74.15.125. WSR 24-12-067, § 110-148-1326, filed 6/3/24, effective 7/4/24. Statutory Authority: RCW 74.15.125 (7)(b). WSR 22-16-028, § 110-148-1326, filed 7/25/22, effective 8/25/22.]

WAC 110-148-1330 May I receive more than one in-home family license?

(1) In rare situations and at our discretion, we may allow a family to be licensed for foster care and another type of in-home family care. The LD senior administrator may grant approval if it appears to be in the best interest of a child.

(2) If you have more than one in-home family license:

(a) It must be clear that the health and safety of children is not compromised; and

(b) The total number of children allowed in your home will not be higher than DYCF's allowed maximum capacity. All licensing agencies must be in agreement.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1330, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1330, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1330, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1335 What happens when licensing requirements differ from contract requirements? You may also hold a contract with the state to provide services. When contract or other statutory requirements differ from licensing, you must meet the highest standard.

[WSR 18-14-078, recodified as § 110-148-1335, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1335, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1340 What do I do to renew my license? (1) As a courtesy, a renewal notice will be sent to you 90 days prior to your license expiration date. If you do not receive this renewal notice it is your responsibility to contact your licensor.

(2) You must send the application and background authorization form to renew your license prior to the expiration date of your current license. Your license may be closed if we do not receive your application prior to your license expiration date.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1340, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1340, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1340, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1345 Who must have access to my home? The department (and, if you are supervised by a CPA, CPA representatives) must have access to your premises, foster children, and documents related to foster children in your care.

[WSR 18-14-078, recodified as § 110-148-1345, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1345, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1350 What are the roles of the department and the CPA? (1) We have the legal authority to license homes for the care of children in out-of-home placement. You may choose to be supervised by us, or by a CPA.

(2) We license CPAs, including tribal CPAs, to supervise foster homes. The CPA is authorized to certify to the department that you meet the licensing requirements contained in this chapter.

(3) A CPA has the discretion whether or not to certify you. If you disagree with a CPA's decision, you must abide by the CPA's grievance process to challenge the decision.

(4) A CPA may, at their discretion, have additional requirements for you to become and remain a licensed foster home under their supervision.

(5) The department has the final approval for licensing you, if you are certified by a CPA.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1350, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1350, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1350, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1355 Can I be licensed as a foster home if I also work for a CPA or DCYF? (1) If you or your relatives work for a CPA in the roles of administration, supervision, foster home certification, placement, payment authorization, or case management, you may not be certified by that CPA as a foster home.

(2) If you go to work for the agency that has already certified your home, and you serve in one of these roles, you must be recertified through another agency or become licensed directly by the department within six months of employment.

(3) You or your relatives may not have financial interest in an agency and be licensed or certified by that agency.

(4) If you or your relative works for DCYF, you must follow department policy regarding licensure.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1355, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1355, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1355, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1360 When may I be certified to provide care to children? (1) When you meet the licensing requirements, you may apply to us for certification of your home, rather than a license, if the following conditions apply:

(a) You are exempt from needing a license (per chapter 74.15 RCW), and you wish to serve department-funded children; or

(b) You are licensed by authority of an Indian tribe within the state under RCW 74.15.190.

[WSR 18-14-078, recodified as § 110-148-1360, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1360, filed 12/11/14, effective 1/11/15.]

QUALIFICATIONS

WAC 110-148-1365 What are the personal requirements for foster parents? (1) You must be at least 21 years old to apply for a license.

(2) You must demonstrate you have:

(a) The understanding, ability, physical health, emotional stability, and personality suited to meet the physical, mental, emotional, cultural, and social needs of children under your care;

(b) Sufficient regular income to maintain your own family, without the foster care reimbursement made for the children in your care; and

(c) To be able to communicate with the child, the department, health care providers, and other service providers.

(3) You must adhere to, follow, and comply with the case plan for the children in your care.

(4) You may not use drugs or alcohol, whether legal or illegal, in a manner that affects your ability to provide safe care to children.

(5) You and everyone residing on your premises or who you allow to have unsupervised access to children must demonstrate they have the ability to furnish children with a nurturing, respectful, and supportive environment.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1365, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1365, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1365, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832. WSR 18-11-138, § 388-148-1365, filed 5/23/18, effective 6/23/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1365, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1365, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1370 What kinds of assessments are included in the licensing process?

(1) The department or child placing agency will assess you for a foster family license. This will include, but is not necessarily limited to:

(a) Your ability to comply with the licensing requirements;

(b) The physical condition of your home and property;

(c) The physical and mental health of all members of the household; and

(d) Your ability to provide sufficient income to meet the financial needs of your family without the foster care reimbursements for foster children in your care.

(2) At any time, we may require you or someone in your house to give additional information. We may also require an evaluation of your home or property, or of a person in your home, by an evaluator/provider approved by the department.

(3) Any evaluation requested by the department will be at your expense.

(4) You must give the evaluator written permission to share information with us throughout the evaluation process.

[WSR 18-14-078, recodified as § 110-148-1370, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020,

13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1370, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1375 What training am I required to have before I become licensed? (1) Before you are licensed for the first time, pre-service training will be required for, at a minimum, the primary caregiver in your home.

(2) All members of the household over the age of 18 who provide care must have and maintain the following training:

(a) First aid;

(b) Age appropriate cardiopulmonary resuscitation (CPR); and

(c) Bloodborne pathogens and infection control standards consistent with educational materials published by the department of health.

(3) The department-approved first aid and CPR training must be accredited with nationally recognized standards. It also must include an in-person exercise demonstrating that you are capable of performing CPR.

(4) You must keep records in your home showing completed current first-aid and age appropriate CPR training for all care providers.

(5) Training for CPR is not required if you have a statement from a physician that the training is not advised for medical reasons. In that case, another person with current CPR training must be on the premises when children are present.

(6) Applicants with current and active medical licenses or certificates; nurses, physicians and EMS personnel, may submit their licenses or certificates to satisfy the first aid, CPR, and bloodborne pathogens requirement.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1375, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1375, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1375, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1380 What training must I complete after I am licensed? (1) You and your licensor must develop an individual in-service training plan pursuant to the department's foster home training policy. The training plan will be based on the type of children in your care and your previous training and experience.

(2) If you fail to complete your training requirements, we may take corrective action by:

(a) Delaying your foster care renewal license until the requirements are met;

(b) No longer placing children in your home; or

(c) Issuing a probationary license, suspending, or revoking your license.

(3) We may modify training plans at any time and we may require specific training given the needs of the foster children placed in your home.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1380, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1380, filed 6/29/18, effective 7/1/18. Statutory Authority:

Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1380, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1385 How do you decide the capacity for my home?

(1) We will identify the maximum number, age range, and gender of children that may be placed with you. We will base this on your skills, the number of care providers, the physical accommodations in your home, and the needs of the children placed in your home.

(2) The maximum number of children in a licensed foster home is:

(a) Six children in a home licensed with two caregivers. This includes your own children under the age of 18, and children in foster or respite care;

(b) Four children, in a home licensed with one caregiver. This includes your own children under the age of 18, and children in foster or respite care;

(c) If you already have the maximum number of your own children as specified in (a) or (b) in this subsection, you may be licensed for one foster child at our discretion if you meet the other licensing requirements.

(3) If you reach maximum capacity during licensure because you give birth or adopt, your licensor will determine your home's suitability for one additional child.

(4) At any one time you may care for not more than:

(a) Two children less than two years of age or who are nonambulatory, including your own children; or

(b) Four children with intellectual and developmental disabilities as defined in RCW 71A.10.020; or

(c) Three medically fragile foster children who need semi-skilled maintenance or supportive services. You must have the qualified training and experience to provide proper care.

(5) You may have placement of a teen parent and their child. Both the teen parent and their child do not have to be in the custody of the department or a CPA, however, they will count towards your maximum capacity.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1385, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1385, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1385, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1390 Can I accept children outside the limitations of my license?

(1) We have the discretion to allow you to temporarily exceed your capacity. The placement must be in the best interest of the child and may not affect the health and safety of other children in the home.

(2) If your home is licensed for six foster children, LD will not allow you to exceed your capacity, except to allow:

(a) Parenting youths in foster care to remain with their children;

(b) Siblings to remain together;

(c) A child who has an established, meaningful relationship with the family to remain with the family; or

(d) A family with the necessary special training or skills to provide care to a child who has a severe disability.

(3) The approval must be in writing and we may require a written plan for additional supervision or other requirements before granting approval.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1390, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1390, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1390, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1390, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1395 Do I have to admit or retain all children? (1)

You have the right to decline, to admit, or keep a child in your home, unless your decision violates the Washington state law against discrimination, chapter 49.60 RCW. For example, a provider must not decline a child because of the child's actual or perceived race, ethnicity, religion, sexual orientation, gender identity, or SOGIE.

(2) Individual CPA programs may have contracts that specify a child cannot be denied admission.

(3) You do not have the authority to move a child to another home, either temporarily or permanently, without the consent of the child's DCYF caseworker or the CPA case manager. This does not include temporary visits under 72 hours. You must also comply with travel requirements in WAC 110-148-1435.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1395, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1395, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1395, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1400 What services must I provide for medically fragile children and children with intellectual and developmental disabilities? (1)

If you care for medically fragile children and children with intellectual and developmental disabilities, you must ensure the following services are provided, if prescribed by a physician:

(a) An individualized treatment plan suited to the unique needs of each child in care; and

(b) Care by physicians, including surgeons, general and family practitioners, and specialists related to the child's particular diagnosis.

[WSR 18-14-078, recodified as § 110-148-1400, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020,

MANAGING RECORDS AND REPORTING

WAC 110-148-1405 What are the requirements for keeping children's records? (1) When a child is placed in your foster home, you must keep the child's records in your home. You should have the following information, if available:

- (a) The child's name, birth date, and legal status;
 - (b) Name and telephone number of the DCYF caseworker or case manager for each child in care;
 - (c) Names, addresses, and telephone numbers of parents or persons to be contacted in case of emergency;
 - (d) Information on specific cultural needs of the child including a cultural plan for native children with input from the child's tribe, if appropriate;
 - (e) The child's medical history including any medical problems, name of doctor(s), type of medical coverage and provider;
 - (f) The child's mental health history and any current mental health, chemical dependency, and behavioral issues, including medical and psychological reports;
 - (g) The child's individualized family service plan;
 - (h) A written list of all prescription medications for the children in your care;
 - (i) Dental care provider;
 - (j) Immunizations records;
 - (k) Child's school records, report cards, school pictures, 504 plans, and individual education plans (IEP);
 - (l) Special instructions including supervision requirements and suggestions for managing problem behavior;
 - (m) Inventory of the child's personal belongings;
 - (n) The child's visitation plan;
 - (o) Written consent for providing medical care and emergency surgery, as authorized by a court order; and
 - (p) Names, addresses, and telephone numbers of persons authorized to take the child in care out of your home.
- (2) Foster parents are encouraged to obtain a copy of the child's court order or voluntary placement agreement that gives approval to place the child, and the child's case plan from the child's DCYF caseworker.
- (3) At the end of the child's placement, you must return reports and information about the child or the child's family to the child's DCYF caseworker or case manager, or the child's next placement at the discretion of the child's DCYF caseworker or case manager.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1405, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1405, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1405, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1410 What information is confidential and what information can I share about a child or a child's family? (1) Information about a child or the child's family is confidential and must only be shared with people directly involved in caring for a child on a need to know basis, or involved in the case plan for a child. You may discuss information about the child, the child's family and the case plan only with:

- (a) Our representatives, including DCYF's LD and CW staff;
 - (b) Department of health, department of social and health services, office of the state fire marshal and the office of the family and children's ombuds;
 - (c) A CPA team assigned to the child;
 - (d) A child's tribal social services worker;
 - (e) Treatment and service providers identified in the child's case plan or with permission of the child's DCYF caseworker; and
 - (f) The child's guardian ad litem, court-appointed special advocate and attorney.
- (2) You may check with your child's DCYF caseworker for guidance about sharing information with the child's parent or guardian, teacher, counselor, doctor and others involved in the child's case plan.
- (3) Child placing agencies and the department must share information about the child and child's family related to the case plan with you so that you can meet the child's needs.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1410, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1410, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1410, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1415 Where can I get a child's health history? (1) You may get the health history and immunization record from the DCYF caseworker or CPA making the placement for all children placed in your home. The health history should include:

- (a) The date of the child's last physical and dental examination;
 - (b) Allergies;
 - (c) Any special health issues;
 - (d) A history of immunizations;
 - (e) Clinical and medical diagnoses and treatment plans; and
 - (f) All currently prescribed medications.
- (2) When leaving the foster home, the health history of the child must go with the child to the next placement or be returned to the child's DCYF caseworker or CPA case manager.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1415, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1415, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1415, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1420 What incidents involving children must I report? (1) You must report the following immediately and in no instance later than 48 hours after the incident to your local DCYF intake staff and the DCYF caseworker or CPA case manager and child's tribal Indian child welfare (ICW) case manager as applicable:

(a) Death, serious illness or injury, or psychiatric care that requires medical treatment or hospitalization of a child in care;

(b) Any time you suspect or a child discloses physical or sexual abuse, neglect, or exploitation of a child as required under chapter 26.44 RCW;

(c) Sexual contact between two or more children that is not considered typical play between preschool age children;

(d) Any disclosure by a child in care of sexual or physical abuse;

(e) Any child's suicide attempt that results in injury requiring medical treatment or hospitalization;

(f) Any use of physical restraint alleged to have been improperly applied or excessive;

(g) Physical assault between two or more children that results in injury requiring off-site medical attention or hospitalization;

(h) Physical assault of a foster parent, employee, volunteer, or others by a child in care that results in injury requiring off-site medical attention or hospitalization;

(i) Any medication given or consumed incorrectly that requires off-site medical attention; or

(j) Property damage that is a safety hazard and not immediately corrected or may affect the children's health and safety.

(2) You must report the following incidents related to a child in care as soon as possible or in no instance later than 48 hours after the incident, to the child's DCYF caseworker or CPA case manager and the child's tribal ICW case manager, as applicable:

(a) Suicidal or homicidal thoughts, gestures, or attempts that do not require professional medical treatment;

(b) Unexpected health problems outside the usual range of reactions caused by medications that do not require professional medical attention;

(c) Any incident of medication incorrectly administered or consumed;

(d) Any treatment by a medical professional for emergency medical or emergency psychiatric care;

(e) Physical assault between two or more children that results in injury but does not require professional medical treatment;

(f) Physical assault of a foster parent, employee, volunteer, or others by a child that results in injury but does not require professional medical treatment;

(g) Drug or alcohol use by a foster child;

(h) Any inappropriate sexual behavior by or toward a foster child; or

(i) Use of prohibited physical restraints for behavior management.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1420, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1420, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1420, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW

74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1420, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1425 What are my reporting responsibilities when a child is missing from care? (1) As soon as you have reason to believe a child in your care is missing as defined in WAC 110-148-1305 or has refused to return to or remain in your care, or whose whereabouts are otherwise unknown, you are required to notify the following:

(a) The child's DCYF caseworker, as appropriate;
(b) DCYF intake, if the DCYF caseworker is not available or it is after normal business hours;

(c) The case manager, if the child is placed by a CPA.

(2) You are required to contact local law enforcement within six hours if the child is missing from care. You must contact law enforcement immediately in any of the following circumstances:

(a) The child is believed to have been taken from placement. This means the child's whereabouts are unknown, and it is believed that the child has been concealed, detained, or removed by another person;

(b) The child is believed to have been lured from placement or has left placement under circumstances that indicate the child may be at risk of physical or sexual assault or exploitation;

(c) The child is age 13 or younger;

(d) The child has one or more physical or mental health conditions that if not treated daily, will place the child at severe risk;

(e) The child is pregnant, or is parenting and the infant or child is believed to be with them;

(f) The child has severe emotional problems, e.g., suicidal thoughts, that if not treated, will place the child at severe risk;

(g) The child has an intellectual and developmental disability that impairs the child's ability to care for themselves;

(h) The child has a serious alcohol or substance abuse problem;
or

(i) The child is at risk due to circumstances unique to that child.

(3) After contacting local law enforcement, you must also contact the national center for missing and exploited children at 1 (800)843-5678 and report the child missing from care.

(4) If the child leaves school or has an unauthorized absence from school, you should consult with the child's DCYF caseworker to assess the situation and determine when you should call law enforcement. If any of the factors listed in subsection (2)(a) through (i) of this section are present, you and the child's DCYF caseworker may decide it is appropriate to delay notification to law enforcement for up to four hours after the end of the school day to give the child the opportunity to return.

(5) You must provide the following information to law enforcement and to the child's DCYF caseworker when making a missing child report, if available:

(a) When the child left;

(b) Location the child left;

(c) What the child was wearing;

(d) Any known behaviors or interactions that may have caused the child's departure;

(e) Possible places where the child may go;

- (f) Special physical or mental health conditions or medications that affect the child's safety;
 - (g) Known companions who may be aware or involved in the child's absence;
 - (h) Other professionals, relatives, significant adults, or peers who may know where the child would go; and
 - (i) Recent photo of the child.
- (6) You must ask law enforcement for the missing person report number and provide it to the child's DCYF caseworker or staff.
- (7) At any time after making an initial report you learn of a missing child's whereabouts or the child returns to your home, you must report that information to the child's DCYF caseworker.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1425, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1425, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1425, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1425, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1430 What are other reporting requirements? (1)

Pursuant to RCW 74.15.100, you must notify the department's licensor before moving to a new location. You may request a continuation of your current license at the new location any time before moving or within 30 days after moving.

- (2) You must report to your licensor immediately if:
 - (a) Your address or telephone number changes;
 - (b) The structure of your home is damaged or you plan to make changes to the structure; or
 - (c) You have any changes to your original licensing application or you relocate your home.
- (3) You must report to your licensor any significant changes regarding people in your home and your property including:
 - (a) A change in your marital status;
 - (b) A separation from your spouse or partner;
 - (c) An arrest of anyone on the premises or who has access to children;
 - (d) The death of immediate family members living in your home;
 - (e) Anyone moving in or out of your home or on the property;
 - (f) Any serious physical or mental incapacity that may interfere with the care of children;
 - (g) Any changes in a medical condition, including changes in prescription drugs that impact your ability to care for children;
 - (h) A change in employment or significant decrease in income; and
 - (i) If you adopt a child.
- (4) The above changes may require the department or CPA to complete a new assessment of your home. This assessment may or may not result in the issuance of a license.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1430, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1430, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2),

74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1430, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1435 What are the travel requirements for children in care? You must get written approval from the child's DCYF case-worker for children or youth in the care and custody of the department, prior to any travel over 72 hours, and any out-of-country travel.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1435, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1435, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1435, filed 12/11/14, effective 1/11/15.]

HEALTH AND SAFETY

WAC 110-148-1440 What are the requirements for my home and property? (1) Pursuant to RCW 74.15.100, your home must be located at the particular, fixed location stated on your license.

(2) Your home must have adequate indoor and outdoor space, ventilation, toilet and bathing facilities, light and heat to ensure the health and comfort of all members of the household.

(3) Your home must have a properly operating kitchen with a properly maintained and working:

- (a) Sink;
- (b) Refrigerator;
- (c) Stove; and
- (d) Oven.

(4) You must keep your home, property, living areas, and furnishings:

- (a) Safe and sanitary;
- (b) Reasonably free from pests, such as rodents, flies, cockroaches, fleas, and other insects using the least toxic methods available; and
- (c) Free from dangerous objects and conditions that may be a hazard to children.

(5) You must keep all toxic materials out of the reach of children and separated from food items.

(6) You must provide adequate laundry and drying equipment, or make other arrangements for laundry on a regular basis.

(7) People must be able to easily open doors from the inside and outside in all areas of the home that are occupied. This includes closets, bathrooms, and bedrooms. You must also have easy access to the outside in case of an emergency.

(8) Your home must meet generally accepted health standards for the storage and preparation of food.

(9) You must develop a plan with your licensor to address hazardous conditions that are present in your home or on your property.

(10) You are responsible for following all local and state regulations such as zoning regulations, local building codes, and fire co-

des. The department may require you to provide proof that you are complying with local regulations.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1440, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1440, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1440, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1440, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1445 What are the requirements for water, garbage, and sewer in my home? (1) You must maintain adequate sewage and garbage facilities. You must discharge sewage into a public system or into a functioning septic system or a Washington state department of health approved or tribal authority alternative system.

(2) You must have access to a public water supply unless you have a private water supply tested by the local health district or a private water-testing laboratory approved by the Washington state department of ecology or tribal government. Testing is required at the time of licensing, relicensing and at any time the department or CPA deems necessary.

(3) The temperature of running water must not exceed 120 degrees. If the provider does not have control over the main water temperature, the provider must prevent children from being burned or scalded by hot water.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1445, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1445, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1445, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1445, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1445, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1450 What are requirements for my household equipment and hardware? (1) You must disinfect diaper changing areas and toilet training equipment between each use or use a nonabsorbent, disposable covering that you discard after each use. All caregivers must wash hands before and after diapering each child.

(2) You must install electrical outlet covers in areas that are accessible to children who might be endangered by exposed outlets. This includes children under the age of six or children with intellectual and developmental delays.

(3) Caregivers must have access to a working telephone at all times while children are present in the home. You must post emergency numbers and the address of your home in an easily visible location.

This must include the Washington state poison control number (1-800-222-1222).

(4) Infants/toddlers are not allowed to use wheeled baby walkers.

[WSR 18-14-078, recodified as § 110-148-1450, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1450, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1455 How must I keep children safe around bodies of water? (1) You must ensure children in your care are safe around bodies of water. You must:

(a) Keep all swimming pools and other bodies of water:

(i) Fenced with a locking gate; or

(ii) Another LD-approved safety device and a site-specific supervision plan.

(b) Lock hot tubs when not in use;

(c) Make all potential water hazards, including wading pools, inaccessible to children when not in use;

(d) Equip your swimming pool with a life saving device, such as a ring buoy; and

(e) Empty your swimming pool after each use. If your swimming pool cannot be emptied after each use, the pool must have a working pump and filtering system.

(2) All swimming pools and other bodies of water must comply with state and local regulations. You must work with your licensor to establish a plan for the bodies of water based on the development level and behaviors of the children in your home.

(3) You must observe the following when foster children are swimming in pools and outdoor bodies of water:

(a) Swim only in designated swimming areas; or

(b) Require all children age 13 and under to wear U.S. Coast Guard-approved personal floatation devices when swimming outside the supervision of a lifeguard.

(4) If you have any water-based recreation devices, you must use and maintain them according to manufacturer's recommendations. All children and youth who ride in a water-based recreation device must wear a U.S. Coast Guard-approved personal floatation device at all times.

(5) An adult with current age-appropriate first aid and CPR or a lifeguard must supervise children swimming under age 12, and must be able to see and hear the children at all times. Children under the age of five must be within touching distance of a supervising adult or the birth parent at all times.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1455, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1455, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1455, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1455, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1460 How do I prepare for a natural disaster or emergency? (1) You must develop an evacuation plan in case of a fire, natural disaster or other emergency. The plan must include:

- (a) An evacuation floor plan, identifying exit doors and windows;
- (b) Action to take for evacuating your home that ensures responsibility for the children;
- (c) A plan for notification regarding the whereabouts and well-being of the children following the evacuation; and
- (d) Your plan must be reviewed with the children and posted in a prominent place in the home.

(2) You must share this plan with your licensor and update the plan when circumstances in your home change. The emergency plan will be based on the type of children in your care, and the conditions of your home and property. Evacuation plans may change based on the developmental level and behaviors of children living in your home.

(3) Your required plan for natural disasters should include supplies of food, water, medications, and other necessary supplies.

(4) Emergency evacuation drills must be practiced at least quarterly with children in your home. You must review evacuation procedures with every child when they are placed in your home.

[Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1460, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1460, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1460, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1465 What other emergency fire and safety requirements must I follow to become licensed? (1) You must observe all state and local fire codes (WAC 212-12-005). We will determine that reasonable fire safety standards exist in your home based on the children placed in your home.

(2) Children must be able to escape from every floor in your home. In most cases, this includes a functional fire ladder available from upper stories.

(3) Windows must open to the outside and be large enough for a rescue person to enter and exit wearing rescue gear, unless the building or structure was previously approved by the local fire marshal or building official with jurisdiction.

(4) You must have easy access to all rooms in your home in case of emergency.

(5) We may require you to have an inspection by WSP/FPB or the local fire authority if we have questions about fire safety, or if local ordinances or WSP/FPB require these inspections.

(6) Your home must have smoke detectors in operating condition both inside and outside of all sleeping areas. Smoke detectors must also be installed on each story of the home, in all play areas, and in the basement. You must install and maintain smoke detectors according to manufacturer's specifications.

(7) You must have at least one carbon monoxide detector on each level of occupancy in the home and at least one near each sleeping area.

(8) You must have at least one approved 2A10BC-rated five pound or larger all-purpose fire extinguisher readily available at all times. You must maintain and service fire extinguishers according to manufacturer's specifications.

(9) Barriers are required for fireplaces, wood stoves, and other heating systems if you are licensed for children less than six years of age. You must not leave open-flame devices unattended or use them incorrectly.

(10) Emergency vehicles must be able to access your home. Your address must be clearly visible on your home or mailbox so that emergency personnel can easily find your home.

[Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a) (36) (A). WSR 20-03-095, § 110-148-1465, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1465, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, and 74.13.031. WSR 17-22-039, § 388-148-1465, filed 10/24/17, effective 11/24/17. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1465, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1470 What are the general requirements for bedrooms?

(1) Each child must have a bedroom, approved by the licensor, with privacy and space that is appropriate and adequate to meet the child's developmental needs. Children may share bedrooms, in compliance with WAC 110-148-1475.

(2) Each bedroom must have unrestricted direct access to outdoors, as well as, one direct access to common use areas such as hallways, corridors, living rooms, day rooms, or other such common use areas.

(3) You must not use hallways, kitchens, living rooms, dining rooms, unfinished basements, or other common areas as bedrooms.

(4) Children must not be required to pass through private bedroom space in order to access common areas of the home.

(5) An adult must be on the same floor or within easy hearing distance and access to where children under six years of age are sleeping.

(6) You must provide an appropriately sized separate bed for each child with clean bedding and a mattress in good condition.

(7) Some children may soil the bed, and you may need to plan accordingly. You must provide waterproof mattress covers or moisture-resistant mattresses if needed. Each child's pillow must be covered with waterproof material or be washable.

(8) You must assure that children have access to clean clothing that is appropriate for their age. You must provide safe storage of children's clothing and personal possessions.

(9) You must provide an infant with a crib that ensures the safety of the infant, and complies with chapter 70.111 RCW and the current ASTM or consumer products safety commission (CPSC) guidelines, specifically 16 C.F.R. 1219 or 1220. Among other things, these requirements include:

(a) A maximum of 2 3/8" between vertical slats of the crib; and

(b) Cribs, infant beds, bassinets, and playpens must be made of wood, metal, or approved plastic, with secure latching devices and

clean, firm, snug-fitting mattresses covered with waterproof material that can easily be disinfected.

(10) You must not cosleep or bed share on any sleeping surface, such as a bed, sofa, or chair with children in care.

(11) You must place infants on their backs for sleeping, unless advised differently by the child's licensed health care provider.

(12) You must not have loose blankets, pillows, crib bumpers, or stuffed toys with a sleeping infant.

(13) You may swaddle infants using one lightweight blanket upon the advice and training of a licensed health care provider. You must keep the blanket loose around the hips and legs when swaddling in order to avoid hip dysplasia. You may swaddle infants under two months of age unless a licensed health care provider directs otherwise. You must not dress a swaddled infant in a manner that allows them to overheat.

(14) You must not use wedges and positioners with a sleeping infant unless advised differently by the infant's licensed health care provider.

(15) You must not use weighted blankets for children under three years of age or for children of any age with mobility limitations.

(16) You may use a weighted blanket upon the advice and training from a licensed health care provider for children over the age of three years who do not have mobility limitations. You must meet the following requirements:

(a) The weight of the blanket must not exceed 10 percent of the child's body weight;

(b) Metal beads are choking hazards and must not be used in a weighted blanket;

(c) You must not cover the child's head with a weighted blanket or place it above the middle of the child's chest;

(d) The weighted blanket must not hinder a child's movement; and

(e) The weighted blanket must not be used as a restraint.

(17) You must not allow children to use the loft style beds or upper bunks if the child is vulnerable due to age, development, or condition, such as preschool children, expectant mothers, and children with a disability.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1470, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1470, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1470, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, and 74.13.031. WSR 17-22-039, § 388-148-1470, filed 10/24/17, effective 11/24/17. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1470, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1470, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1475 What are the requirements for sharing bedrooms?

(1) A provider must consider what bedroom placement is in the best interest of a foster child in consultation with the child's DCYF case-worker and all other children in the household.

(2) Shared bedrooms must provide enough floor space for the safety and comfort of children.

(3) Foster teen parents may sleep in the same room with their children. When a teen parent and their children sleep in the same room, the room must contain at least 80 square feet of usable floor space. Only one parent and their children may occupy a bedroom.

(4) No more than four children may sleep in the same room. This includes foster children and any other children.

(5) Children under the age of two may share a bedroom with an adult, if it is in the best interest of the child and approved by the caseworker.

(6) An individual in the extended foster care program may share a bedroom with a younger child of the same gender. If the younger child is unrelated to the individual in the extended foster care program, the younger child must be at least 10 years of age. A provider may place a child who identifies as transgender or gender fluid in a bedroom with a child of the same or similar gender identity.

(7) Foster children may not share the same bedroom with a child of another gender identity unless all children are under age six. In circumstances of transgender or gender fluidity, a provider may place a child in a bedroom with another child of the same or similar gender identity.

(8) An exception may be granted to subsections (3) through (6) of this section with an administrative approval if it is supported by the licenser and the child(ren)'s DCYF caseworker, and is in the best interest of the child.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1475, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1475, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1475, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1475, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1480 What are the requirements for animals? (1) All animals on your property must be safe and properly cared for in a sanitary manner.

(2) Pursuant to WAC 246-100-197(3), your dog, cat, or ferret must be vaccinated and revaccinated against rabies following veterinary and USDA licensed rabies vaccine manufacturer instructions, unless a licensed veterinarian states in writing that such vaccinations may be contrary to your pet's health.

(3) You must not have an animal in your home or on your premises that is dangerous to children in care.

(4) We have the discretion to limit the type and number of household pets and animals if we determine that there are risks to the children in your care.

(5) All pet medications must be kept in a locked container.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1480, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1480, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2),

74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1480, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1485 Under what conditions may I have alcoholic beverages or marijuana on my property? You may have alcoholic beverages or marijuana on your property as long as they are not accessible to people under the age of twenty-one.

[WSR 18-14-078, recodified as § 110-148-1485, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1485, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1490 May I have illegal drugs on my property? You must not have illegal drugs on your property and/or in your possession.

[WSR 18-14-078, recodified as § 110-148-1490, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1490, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1495 What are the requirements for smoking around children? (1) You must not allow smoking in your home. You must not smoke in motor vehicles used to transport children.

(2) You may permit adults to smoke outdoors away from children in accordance with RCW 70.160.075.

(3) These requirements do not apply to traditional or spiritual Native Alaskan/Native American or religious ceremonies involving the use of tobacco.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1495, filed 5/18/22, effective 6/18/22. Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1495, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1495, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1495, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1500 Under what conditions may I have guns and weapons on my property? (1) You must notify your licensor if you or someone else in your home has a gun or weapon on the property. This includes but is not limited to BB guns, pellet guns, air rifles, stun guns, antique guns, handguns, rifles, shotguns and archery equipment.

(2) You must always keep guns and ammunition out of reach of children. When at home, you must keep guns and ammunition in locked containers out of reach of children. You must store guns separate from the ammunition unless stored in a locked gun safe.

(3) You must keep bows and arrows and other weapons in locked containers out of reach of children.

(4) If you store guns in a container that may be easily breakable, you must secure them with a locked cable or chain placed through the trigger guards.

(5) Whenever possible, we encourage you to equip guns with a trigger guard lock.

(6) You must keep keys to the locked storage area of weapons secure from children.

(7) Children may use a gun only if the child's DCYF caseworker approves and the youth and supervising adult has completed an approved gun or hunter safety course.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1500, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1500, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1500, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1500, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1505 What must I do to prevent the spread of infections and communicable diseases?

(1) You must notify your licenser if you or any adults living in your home have been exposed to someone with tuberculosis or if a health care provider recommends testing.

(2) Retesting for license renewals is not required unless the above conditions apply.

(3) You must promote personal hygiene to help prevent the spread of germs in your home such as washing hands after smoking, changing diapers, using the toilet, touching animals, playing outside or before preparing food or eating.

(4) If you care for medically fragile children, you may use in-home nursing services to consult on additional infection control procedures.

[WSR 18-14-078, recodified as § 110-148-1505, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1505, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1510 What requirements do I need to follow when I transport children? When you transport children in your care you must follow these requirements:

(1) The vehicle must be kept in a safe operating condition;

(2) The driver must have a valid driver's license;

(3) The driver or owner of the vehicle must be covered under an automobile liability insurance policy and have proof of registration;

(4) The vehicle must be equipped with seat belts, car seats and booster seats, and other appropriate safety devices for all passengers required by law;

(5) The number of passengers must not exceed the vehicle's seat belts; and

(6) Each person in the vehicle must use an individual seat belt or approved child passenger restraint system whenever the vehicle is in motion, and follow the law regarding placement of children in vehicles.

[Statutory Authority: RCW 74.15.030, chapter 74.15 RCW, P.L. 115-123 and 42 U.S.C. § 671 (a)(36)(A). WSR 20-03-095, § 110-148-1510, filed 1/13/20, effective 2/1/20. WSR 18-14-078, recodified as § 110-148-1510, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1510, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1515 What are the requirements regarding food? (1)

Food served to children in your care must meet their nutritional and developmental needs, with a variety of options for adequate nutrition and meal enjoyment.

(2) Children's cultural needs should also be considered when planning meals.

(3) All home-canned foods must be preserved following published procedures and you must be able to provide the printed published procedures that you followed.

(4) Before you modify a child's diet, you must obtain written authorization from a licensed health care provider for children under the age of 10 years.

(5) The milk or milk products you serve must be pasteurized. Children between the ages of 12 and 24 months must receive whole milk unless you have written authorization from a licensed health care provider not to serve whole milk.

(6) Children under the age of 12 months must receive formula or breast milk unless the child's licensed health care provider authorizes a different diet.

(7) Before serving a child breast milk you must have approval of the child's DCYF caseworker, licensed health care provider, and parent or guardian. If breast milk is provided by anyone other than a baby's biological mother, it must be obtained through a licensed breast milk bank.

(8) When you are using bottles to feed infants, you must sterilize and use them according to product standards and commonly acceptable practices. You must refrigerate filled bottles if you do not use them immediately, and you must empty the bottle if not used within 24 hours.

(9) To prevent burns, formula or breast milk must not be warmed in a microwave oven.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1515, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1515, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, and 74.13.031. WSR 17-22-039, § 388-148-1515, filed 10/24/17, effective 11/24/17. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1515, filed 12/11/14, effective 1/11/15.]

SERVICES TO CHILDREN

WAC 110-148-1520 What services am I expected to provide for children in my care? (1) You must make all reasonable efforts to ensure that children are not abused or neglected, per RCW 26.44.020(1) and chapter 110-30 WAC.

(2) You must provide and arrange for care that is appropriate for the child's age, SOGIE, and development including:

- (a) Emotional support;
- (b) Nurturing and affection;
- (c) Structured daily routines and living experiences; and
- (d) Activities that promote the development of each child. This

includes cultural and educational activities in your home and the community.

(3) In caring for infants and young children you must:

(a) Hold infants, under the age of six months, for all bottle feedings;

(b) Hold infants at other times for the purposes of comfort and attention; and

(c) Allow children plenty of free time outside of a swing, crib or playpen.

(4) In caring for youth enrolled and participating in the extended foster care program you must:

(a) Provide a youth opportunity and support for achieving independence; and

(b) Allow a youth responsibility for their actions.

(5) Before making significant changes in a child's appearance, you must consult with the child's DCYF caseworker. These significant changes include, but are not limited to, body piercing, tattoos, and major changes in hairstyle or color.

(6) You must follow all state and federal laws regarding nondiscrimination while providing services to children in your care. You must support and engage with foster children in your care with dignity and respect regardless of actual or perceived race, ethnicity, culture, sex, or SOGIE.

(7) You must connect a foster child with resources that supports and affirms their needs regarding race, religion, culture, and SOGIE. These resources include emotional and developmental support for a child's ethnic identity and SOGIE, educational needs, and spiritual activities in your home and community to include tribal activities within the child's tribal community or extended tribal family. Your licensor or the child's DCYF caseworker, CPA case manager, or child's tribal ICW case manager can assist you with identifying these resources.

(8) You must support a child's religion or spiritual practices by providing adequate opportunities for religious or spiritual training and allowing a child meaningful participation appropriate to the child's spiritual beliefs. You may not require any child to participate in practices against their beliefs.

(9) You must support a foster child's SOGIE by using their pronouns and chosen name, and respecting the child's right to privacy concerning their SOGIE.

(10) You must provide for the child's physical needs. This includes adequate hygiene, nutritional meals and snacks, and readily

available drinking water. This also includes a balanced schedule of rest, active play, and indoor and outdoor activity appropriate to the age of the child in care.

(11) You must guide the child to develop daily living skills according to the child's abilities and development. This may include assigning daily chores to children.

(12) The department will identify a suitable case plan including permanency for children in its care and custody. You must not interfere with this plan. You may attend appropriate shared planning meetings to participate in the decision making process and provide input on the child. You may submit information about the child's permanent plan and other issues through the caregiver's report to the court.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1520, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1520, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1520, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1520, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1525 What are the educational and vocational instruction requirements for children in care? You must meet the following requirements for providing education and vocational instruction to the children under your care. For each child you must:

(1) Follow the educational plan approved by the child's DCYF caseworker;

(2) Home schooling, private schooling, and alternative learning experience instruction are prohibited for all children in the care and custody of the department, unless approved by a court ruling;

(3) Support the child in regular school attendance. If a child is absent from school you must follow the school's reporting requirements. Notify the child's DCYF caseworker if the child is absent from school more than three consecutive school days;

(4) Receive approval from the child's DCYF caseworker prior to making any changes to a child's educational plan;

(5) Support the child's educational plan by providing each child with necessary school supplies and a suitable place to study;

(6) Develop a transportation plan with the child's DCYF caseworker to ensure school attendance; and

(7) Encourage older youth to pursue a post-secondary education when appropriate.

[Statutory Authority: RCW 74.15.030, WSR 22-11-091, § 110-148-1525, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1525, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1525, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1525, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1530 May children participate in everyday activities under my care? (1) You may decide what family or community activities are appropriate for foster children. These activities must be appropriately supervised and may not interfere with visitation with the child's parents or guardians.

(2) Children may participate in family, community or friend social activities, organized sports activities, or field trips. Overnight stays over 72 hours requires DCYF caseworker approval. Any activities requiring travel must comply with WAC 110-148-1435.

(3) All high-risk activities, including the use of power driven machines or other hazardous equipment, must be properly supervised by an adult. When participating in high-risk activities, children must:

(a) Be instructed on, and required to use appropriate safety equipment, such as helmets and life vests; and

(b) Be in continuous visual or auditory range at all times, unless approved by the child's DCYF caseworker.

(4) It may be appropriate for some children to obtain employment when:

(a) Laws regarding minors working are followed; and

(b) The child's work does not interfere with school.

(5) Youth may obtain a driver's license if you agree to act as the "parent or guardian" for the purposes of the Intermediate Driver's License Law. If you act in this capacity for a youth in out-of-home care who is placed in your home, you will also be responsible for the youth's insurance until the youth leaves your home or ages out of care, or if you choose to cancel the youth's insurance. If you choose to cancel the youth's insurance, you must notify the youth's DCYF caseworker at least five days before the cancellation becomes effective.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1530, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1530, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832. WSR 18-11-138, § 388-148-1530, filed 5/23/18, effective 6/23/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1530, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1535 Can I provide care to youth enrolled in the extended foster care (EFC) program? You can serve youth enrolled in the EFC program if you meet the requirements in WAC 110-90-0010 through 110-90-0200. The youth enrolled and participating in the EFC program are considered children only for the purposes of the dependency. Otherwise the youth has the legal status and legal rights of an adult. The youth is responsible for their actions, including:

(1) Purchases;

(2) Driving;

(3) Traveling; or

(4) Financial obligations.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1535, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1535, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2),

74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1535, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1540 What privacy must I provide for children in my care? (1) You must assure the right to privacy of personal mail, electronic mail, and phone calls unless:

(a) We ask you to provide monitoring; or

(b) The court approves implementation of the monitoring as part of the child's case plan.

(2) DCYF prohibits the use of video and audio monitoring of children in care in the interior of foster homes unless all of the following are met:

(a) The LD senior administrator grants approval for the use of an electronic monitoring device in your facility following a request by the child's DCYF caseworker;

(b) The court approves implementation of the monitoring as part of the child's case plan; and

(c) You maintain a copy of the approval.

(3) The prohibition of audio or visual monitoring does not include monitoring of the following:

(a) Infants or children through four years of age;

(b) Medically fragile or sick children;

(c) Video recording equipment to document actions of a child as directed in writing by the child's physician;

(d) Video recording for special events such as birthday parties or vacations; or

(e) The use of door or window alarms or motion detectors.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1540, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1540, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1540, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1540, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1545 What belongings will foster children take when they leave my home? (1) You must permit a child who leaves your home to take their personal belongings with them. This includes belongings the child brought with them and acquired in your care, such as clothing, mementos, bicycles, gifts, and any saved money.

(2) If it is not possible for the child to take their belongings at the time they leave, you are required to secure them for up to 30 days and cooperate with the child's DCYF caseworker to transfer them to the child, as soon as possible.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1545, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1545, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145,

74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1545, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1550 What medical and dental care must I provide to children? (1) You must ensure that children receive appropriate medical and dental care.

(2) You must make sure children have routine medical, dental, and vision care, and receive transportation to and from these scheduled appointments.

(3) You must arrange for an early and periodic screening, diagnosis and treatment (EPSDT) exam, also referred to as the well child exam (WCE), for children who are in your care for more than 30 days, if that child has not had an EPSDT exam in the 30 days prior to entering out-of-home care, except for children placed by DDA through a voluntary placement agreement. For children placed by DDA, follow the direction of DDA regarding the need for an EPSDT exam after placement. In addition, you must ensure that each child in your care completes regular EPSDT exams according to the EPSDT examination periodicity schedule: First exam by one month of age, then at two, four, six, nine, 12, 15, 18, and 24 months. Exams must be scheduled annually after 24 months of age.

(4) You must obtain and follow instructions from the child's medical provider if you give medication or treatment and use medications as prescribed per the medication label. Prescription or over-the-counter medications must be clearly labeled.

(5) You must make plans to respond to illness and emergencies, including serious injuries and contact with toxic or poisonous substances.

(6) You must immediately call 911 in a life-threatening emergency and notify:

(a) The child's DCYF caseworker or CPA case manager and child's tribal ICW case manager; and

(b) Your licensor.

(7) You must have first-aid supplies available in your home including:

(a) Protective nonlatex gloves;

(b) Bandages;

(c) Scissors and tweezers;

(d) Ace bandage;

(e) Gauze; and

(f) Nonbreakable and mercury free thermometer.

(8) One-way resuscitation masks are recommended but not required.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1550, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1550, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1550, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1555 What are the immunization requirements? (1) Children placed in your home by the department are required to be immunized according to the Advisory Committee on Immunization Practices of the Centers for Disease Control (ACIP/CDC) as established in the

Recommended Immunization Schedule for Persons Aged 0-18 Years, United States, 2012 and as amended each subsequent year, except for rotavirus and human papillomavirus.

(2) If a child who has not received all recommended immunizations is placed in your care, you must take the child to a health care provider as soon as medically possible for catch-up immunizations according to the ACIP/CDC catch-up schedule.

(3) You must contact each child's DCYF caseworker and your licensor if a serious infection or a communicable disease is a threat to the children in your care. The department may remove a foster child from your home when the threat of a serious infection or communicable disease creates a risk to the health of any child placed in your home.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1555, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1555, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1555, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1560 What are the requirements for obtaining consent for emergent and routine medical care?

(1) The department is the legal custodian for children it places in care. We have the authority to consent to emergency and routine medical services on behalf of a child under the age of 18. Youth in care over the age of 18 must consent to their own medical care or have an identified person who has been granted the legal authority to consent on their behalf. We delegate some of the authority to providers. You must contact the child's DCYF caseworker or intake for specific information for each child.

(2) If you care for children in the custody of another agency, tribal court or other court, you must follow the direction of that agency or court regarding permission to provide consent for medical care.

(3) In case of medical emergency, contact the child's DCYF caseworker or DCYF intake as soon as possible.

(4) It is your responsibility to ensure that a child receives the necessary medical attention if injured or harmed. In the event of a life-threatening medical emergency, you must contact 911 prior to transporting the child to a medical facility.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1560, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1560, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1560, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1565 How must medications be stored? (1) Prescription and over the counter medications must be kept in a locked container.

(2) Life-saving medications must be accessible in an emergency.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1565, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1565, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1565, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1570 Who may access stored medications? Only you or another authorized care provider, such as a respite provider, is allowed to have access to medications for a child in your care except as noted in WAC 110-148-1580.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1570, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1570, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1570, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1575 What are other requirements for medications?

(1) You must keep a written record of all prescription medications and the dates given for the children in care. This list must go with the child when they leave your home.

(2) You must notify the child's DCYF caseworker of changes in prescribed medications.

(3) You must give prescription and over the counter medications as specified on the medication label or as prescribed by persons legally authorized to prescribe medication. This includes herbal supplements and remedies, vitamins, or minerals.

(4) You must give children nonprescription medication according to product instructions and seek medical advice regarding possible interactions with a child's other prescription and nonprescription medications.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1575, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1575, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1575, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1580 Can children take their own medications? (1)

You may permit children under your care to take their own medicine as long as:

(a) They are physically and mentally capable of properly taking the medication; and

(b) You obtain and keep written approval by the child's health care provider and DCYF caseworker in your records.

(2) When a child is taking their own medication, the medication and medical supplies must be kept locked or inaccessible to unauthorized persons.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1580, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1580, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1580, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1585 Can I use medication for behavior control? You must not use medication for behavior control, unless prescribed for that purpose by a physician or another person legally authorized to prescribe medication.

[WSR 18-14-078, recodified as § 110-148-1585, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1585, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1590 Can I choose to give prescribed medications, including psychotropic medication? (1) You must not start or stop giving a child's prescribed medication without approval from the child's physician.

(2) In addition to the physician, you must coordinate starting or stopping a child's psychotropic medication with the child's DCYF caseworker to determine what consent is needed. The caseworker may need to obtain consent from the child age 13 and older, the parent or guardian, or the court.

(3) You must not give medications to a child that has been prescribed for someone else.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1590, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1590, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1590, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1595 Can I accept prescription medication from a child's parent or guardian? (1) The only medication you may accept from the child's parent, guardian, or responsible relative is medicine in the original container labeled with:

- (a) The child's first and last name;
- (b) The date the prescription was filled;
- (c) The medication's expiration date; and
- (d) Readable instructions for administration, either the manufacturer's instructions or instructions printed on the prescription label, of the medication.

(2) You must notify the child's DCYF caseworker when you receive a new prescription from a child's parent or guardian before giving it to the child.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1595, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1595, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1595, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1600 What is respite care? (1) Respite care is provided by someone who is approved by LD and is paid to care for the foster children or provide relief for the foster parents. If the person provides care in their own home, they must be foster licensed. A nonlicensed respite care provider caring for children in your home must follow the requirements to become a LD certified respite provider.

(2) You may arrange respite care to provide substitute care in your absence, or to support you as part of a child's case plan. If you use a respite care provider, you should seek prior approval from the child's DCYF caseworker or CPA case manager, and, if applicable, the child's tribal ICW case manager.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1600, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1600, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1600, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1605 Who can watch my foster child when I am away from home? (1) You may use a respite provider as defined in WAC 110-148-1600 to watch your foster child when you are away from home.

(2) You may also use a friend or relative as a substitute care provider for foster children when you are away from home without arranging for a background check. Substitute care provided on an occasional basis for less than 72 hours will be at your own expense. You may use a substitute care provider only when you have no reason to suspect that the provider would be a risk to children and has no founded child abuse or neglect history or criminal history that would disqualify him or her from caring for children. You must also:

(a) Be familiar and comfortable with the substitute care provider who will be caring for the child;

(b) Meet the substitute care provider and review the expectations regarding supervision and discipline of the foster children;

(c) Provide the substitute care provider any special care instructions; and

(d) Tell the substitute care provider how to contact you in case of an emergency.

(3) If care by the substitute care provider is a regular arrangement, you must have written approval from the child's DCYF caseworker. The substitute care provider must provide evidence of a cleared Wash-

ington state patrol background check and meet additional requirements for members of the household as defined in WAC 110-148-1320 (2) and (4).

(4) Based on the special needs of a child, the DCYF caseworker may require the substitute care provider to have additional skills or training.

(5) Teenagers, age sixteen and seventeen, who meet all requirements stated in this section, may supervise no more than three foster children.

(6) Foster children may provide short-term babysitting for children not in foster care. Sexually aggressive and physically assaultive youth must not babysit children.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1605, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1605, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1605, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1605, filed 12/11/14, effective 1/11/15.]

BEHAVIOR MANAGEMENT

WAC 110-148-1610 What are the requirements for supervising children in my care? (1) You must provide and arrange for adult supervision that is appropriate for the child's age and development.

(2) For each child in your care you must:

(a) Provide personal attention to the child(ren), and additional supervision as needed and required by us; and

(b) Advise the child's DCYF caseworker about your plan for supervision of children in your care if you work outside the home. You will also provide a general plan to your licensor during the licensing process.

(3) When supervising children, you must not:

(a) Leave children under five years of age and children with intellectual and developmental disabilities unattended in a bathtub or shower; or

(b) Use cribs, bassinets, cradles, playpens and swings as a substitute for supervising or one-on-one play with infants and young children.

(4) You are encouraged to obtain and follow a written supervision plan for every child in your care from the child's DCYF caseworker or CPA case manager and tribal ICW case manager.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1610, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1610, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1610, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1615 What are the requirements for disciplining children? (1) You must use discipline that is appropriate to the child's age and level of development.

(2) You must establish limits and use positive methods of guidance that promote self-control, self-responsibility, self-direction, self-esteem, and cooperation.

(3) Positive methods include:

(a) Directing children to another activity;

(b) Giving choices when appropriate;

(c) Time out as a method of guidance, allowing the child time to change their behavior;

(d) Planning in order to prevent problems; and

(e) Using positive reinforcement and encouraging children to express their feelings and ideas.

(4) You must not use physical punishment or verbally abusive, neglectful, humiliating, or frightening punishment which includes, but is not limited to:

(a) Spanking;

(b) Cursing;

(c) Threats, humiliation or intimidation; and

(d) Locked time-out rooms or methods that interfere with a child's basic needs, including withholding of food.

(5) You and authorized care providers are responsible for discipline; you must not give that responsibility to a child.

(6) You must allow a child needed services, including contact with the child's DCYF caseworker, legal representatives, parents or guardians, or other family members.

(7) You will develop a written plan for disciplining children with your licenser and you must follow that plan.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1615, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1615, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1615, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1620 When may a child be restrained? (1) You may use physical restraint when a child's behavior poses an immediate risk to physical safety. The restraint must be reasonable and necessary to:

(a) Prevent a child from harming self or others; or

(b) Protect property from serious damage.

(2) You must not use physical restraint as a form of punishment or discipline. You must not use mechanical restraints such as handcuffs and belt restraints unless ordered by the child's physician. You must not use physical restraint that restricts breathing, inflicts pain to manage behavior, or is likely to cause injury that is more than temporary. This includes, but is not limited to:

(a) Restriction of movement by placing pressure on joints, chest, heart, or vital organs;

(b) Sleeper holds, which are holds used by law enforcement officers to subdue a person;

(c) Arm twisting;

(d) Hair holds;

(e) Choking or putting arms around the throat; or

(f) Chemical restraints, such as pepper spray.

(3) You must document your use of physical restraint and send a copy to the child's DCYF caseworker and LD licenser within 48 hours. If you are supervised by a CPA, you must contact the case manager and keep a copy of the documentation on the premises.

(4) When you have to use physical restraints on a regular basis, you must get prior written approval from the child's DCYF caseworker as well as verbal or written approval by LD.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1620, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1620, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1620, filed 12/11/14, effective 1/11/15.]

RULE VIOLATIONS AND CORRECTIVE ACTIONS

WAC 110-148-1625 Will you license or continue to license me if I violate licensing requirements? (1) We may modify, deny, suspend, or revoke your license when:

(a) You do not meet the licensing requirements in this chapter;

(b) You or others in your home may not have unsupervised access to children;

(c) We have determined that you have abused or neglected a child;

(d) You commit, permit, or assist in an illegal act on the premises of a home or facility providing care to children;

(e) You knowingly provide false information to us;

(f) You are unable to manage your property and financial responsibilities; or

(g) You cannot provide for the safety, health, and well-being of the children in your care; or

(h) You cannot or will not support a child's cultural needs including needs based on the child's race, ethnicity, religion, or SO-GIE.

(2) We will send you a certified letter telling you of the decision to modify, deny, suspend, or revoke your license. In the letter, we will also tell you what you need to do if you disagree with the decision.

(3) The department has jurisdiction over all foster home licenses and over all holders of and applicants for licenses as provided in RCW 74.15.030(5). This jurisdiction is retained even if you request to withdraw the application, or you surrender or fail to renew your license.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1625, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1625, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, and P.L. 113-183. WSR 16-17-101, § 388-148-1625, filed 8/19/16, effective 9/19/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1625, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1630 Are there exceptions made if I do not meet the licensing requirements? (1) We may make exceptions and license or continue to license you if you do not meet the minimum licensing requirements if we find that you can provide for the safety, health and well-being of children in your care.

(2) In addition, we may limit or restrict your license and/or require you to enter into a compliance agreement to ensure the safety and well-being of the children in your care.

(3) You must keep a copy of the approved exception to the licensing requirements for your files.

(4) You do not have appeal rights if the department denies your request for an exception to the licensing requirements.

[WSR 18-14-078, recodified as § 110-148-1630, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1630, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1635 Can people living in my home be disqualified from having access to the children in my care? (1) The department must disqualify people living in your home if they do not meet the requirements of this chapter, or cannot have unsupervised access to children because of their background check (chapter 110-04 WAC).

(2) We will notify you if a person in your home is disqualified from having unsupervised access to children. This could also lead to denial, suspension, or revocation of your license.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1635, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1635, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031. WSR 16-06-041, § 388-148-1635, filed 2/24/16, effective 3/26/16. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1635, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1640 Are there any other reasons that might cause me to lose my license? (1) We may suspend or revoke your license if you:

(a) Have foster children in your home for whom you are not licensed, without approval by your licensor. This includes having more children, or children of different ages or gender than your license allows;

(b) Do not provide a safe, healthy and nurturing environment for children in your care; or

(c) Do not meet any of the other licensing requirements.

(2) Do not meet the health and safety requirements of the department of health and/or the Washington state patrol fire protection bureau, if required.

[WSR 18-14-078, recodified as § 110-148-1640, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020,

13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1640, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1645 What may I do if I disagree with your decision to modify, deny, suspend, or revoke my license, or to disqualify my background check? You have the right to request an administrative hearing if you disagree with any of these actions. You must request this hearing within 28 calendar days of receiving a certified letter with our decision, as provided in chapters 34.05 RCW and 110-03 WAC.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1645, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1645, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832. WSR 18-11-138, § 388-148-1645, filed 5/23/18, effective 6/23/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1645, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1650 How do I appeal the decision of the office of administrative hearings' administrative law judge? (1) The decision of the administrative law judge is the final decision of the department unless you or the department files a petition for review with DCYF board of appeals within 21 calendar days after the administrative law judge's decision is mailed to the parties.

(2) The procedure for requesting or responding to a petition for review with the board of appeals is described in WAC 110-03-0510 through 110-030-0530.

(3) We will not appeal decisions made by the board of appeals.

(4) If you disagree with the board of appeals, you may file a petition in superior court and ask for further review, as provided in RCW 34.05.510 to 34.05.598.

[Statutory Authority: RCW 74.15.030. WSR 22-11-091, § 110-148-1650, filed 5/18/22, effective 6/18/22. WSR 18-14-078, recodified as § 110-148-1650, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1650, filed 12/11/14, effective 1/11/15.]

WAC 110-148-1655 Can I be issued a probationary license? (1) We may issue a probationary license as part of a corrective action plan with you.

(2) We will consider the following when deciding whether a probationary license will be issued:

(a) An intentional or negligent violation of licensing requirements;

(b) A history of violation of licensing requirements;

(c) A current violation of licensing requirements;

(d) Whether you are making a good faith effort to comply; and

(e) Any other factors relevant to the specific situation.

(3) A probationary license may be issued for up to six months. At our discretion, we may extend the probationary license for an additional six months. You may not appeal our decision not to issue a probationary license.

[WSR 18-14-078, recodified as § 110-148-1655, filed 6/29/18, effective 7/1/18. Statutory Authority: Chapters 13.34 and 74.13 RCW, RCW 74.15.030(2), 74.15.311(2), 74.13.032, 13.04.011, 74.13.020, 13.34.030, 74.13.031, 13.34.145, 74.15.311, 74.15.030, and 2013 c 105. WSR 15-01-069, § 388-148-1655, filed 12/11/14, effective 1/11/15.]