
HOUSE BILL 1631

State of Washington

66th Legislature

2019 Regular Session

By Representatives Senn, Caldier, Entenman, Ortiz-Self, Frame, Slatter, Appleton, and Corry

1 AN ACT Relating to supporting child welfare workers; amending RCW
2 74.14B.010; adding new sections to chapter 43.216 RCW; adding a new
3 section to chapter 74.14B RCW; creating a new section; and providing
4 an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) Child welfare caseworkers engage in
7 very challenging and complicated work keeping children safe, ensuring
8 their well-being, and reuniting families. In doing this work, many
9 caseworkers are the first responders to child abuse and neglect. In
10 spite of this difficulty, these caseworkers are motivated to help
11 families succeed. However, the cumulative stress of child welfare
12 work and other factors including workload for caseworkers and
13 supervisors, organizational support, access to resources,
14 insufficient training, limited direct service time, lack of clear
15 expectations, limited access to technology, and burdensome paperwork
16 can result in high turnover.

17 (2) High turnover in the child welfare workforce is costly to the
18 state and has adverse effects on child and family outcomes including:
19 (a) Increased time to permanency; (b) lower rates of reunification;
20 and (c) slower resolution of child safety concerns. Furthermore, high

1 turnover rates result in less experienced supervisors and other
2 positions of leadership within the child welfare system.

3 (3) For these reasons, the legislature intends to build a well-
4 trained, well-supported, technologically competent, more effective
5 child welfare workforce in order to better meet the needs of
6 vulnerable children and families in Washington state. In addition,
7 child welfare workers who experience secondary, work-related trauma
8 should be given the necessary support to process intense emotional
9 events and the tools to build resiliency. This act includes supports
10 for the child welfare field that will improve and help retain these
11 individuals.

12 (4) The child welfare league of America established national
13 caseload standards for family foster care social workers recommending
14 a caseload between twelve and fifteen children. The settlement
15 agreement reached pursuant to *Braam v. Washington*, 150 Wash.2d 689
16 (2003) includes a caseload requirement of eighteen children.
17 Currently, forty-three percent of case-carrying child and family
18 welfare services staff have caseloads at or greater than twenty
19 children and fifteen percent have a caseload under eighteen children.
20 It is the intent of the legislature to increase the staffing of child
21 welfare cases with the goal of compliance with the settlement
22 agreement reached pursuant to *Braam v. Washington*, 150 Wash.2d 689
23 (2003).

24 (5) The legislature further encourages the child welfare division
25 of the department of children, youth, and families to incorporate
26 reflective supervision principles. Reflective supervision is
27 encouraged because it:

28 (a) Supports individuals when working through complex situations
29 and emotions in a safe environment;

30 (b) Is relationship-based, collaborative, encourages respect, and
31 happens regularly, modeling the qualities of healthy relationships
32 between professionals and the families they serve;

33 (c) Prioritizes the needs of the supervisee, instead of focusing
34 on administrative issues or the supervisor's agenda;

35 (d) Promotes reflection on specific cases; and

36 (e) Develops greater capacity to understand, interpret, and make
37 meaning of clients' behavior and encourages the use of this awareness
38 to better serve clients.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.216
2 RCW to read as follows:

3 (1) The department shall provide a report on the department's
4 current efforts to improve workplace culture to the relevant
5 committees of the legislature in compliance with RCW 43.01.036 by
6 December 1, 2019. The report must include, but not be limited to,
7 results and activities related to the department's organizational
8 change management initiatives, efforts related to the federal program
9 improvement plan, and the department's existing peer support program.

10 (2) The department and any external entity responsible for
11 providing child welfare worker training shall provide a report on
12 current child welfare worker training to the relevant committees of
13 the legislature in compliance with RCW 43.01.036 by September 1,
14 2019, that includes:

15 (a) A review of the effectiveness of the current course
16 curriculum for supervisors;

17 (b) An evaluation of the preparedness of new child welfare
18 workers;

19 (c) An inventory of the trauma-informed trainings for child
20 welfare workers and supervisors;

21 (d) An inventory of the reflective supervision principles
22 embedded within trainings for child welfare workers and supervisors;
23 and

24 (e) An inventory of the department's efforts to systemize peer
25 support for child welfare workers and supervisors.

26 (3) The department shall provide a training improvement plan to
27 the relevant committees of the legislature in compliance with RCW
28 43.01.036 by January 1, 2020, based on the report required under
29 subsection (2) of this section that describes the recommended
30 frequency of trainings and other recommended improvements to child
31 welfare worker training.

32 (4) For purposes of this section, "child welfare worker" means an
33 employee of the department whose job includes supporting or providing
34 child welfare services as defined in RCW 74.13.020 or child
35 protective services as defined in RCW 26.44.020.

36 (5) This section expires July 1, 2021.

37 **Sec. 3.** RCW 74.14B.010 and 2018 c 58 s 79 are each amended to
38 read as follows:

1 (1) (~~Caseworkers employed in children services~~) Child welfare
2 workers shall meet minimum standards established by the department.
3 Comprehensive training for (~~caseworkers~~) child welfare workers
4 shall be completed before such (~~caseworkers~~) child welfare workers
5 are assigned to case-carrying responsibilities (~~without direct~~
6 ~~supervision~~) as the sole worker assigned to a particular case.
7 Intermittent, part-time, and standby child welfare workers shall be
8 subject to the same minimum standards and training.

9 (2) Ongoing specialized training shall be provided for
10 (~~persons~~) child welfare workers responsible for investigating child
11 sexual abuse. Training participants shall have the opportunity to
12 practice interview skills and receive feedback from instructors.

13 (3) The department, the criminal justice training commission, the
14 Washington association of sheriffs and police chiefs, and the
15 Washington association of prosecuting attorneys shall design and
16 implement statewide training that contains consistent elements for
17 persons engaged in the interviewing of children, including law
18 enforcement, prosecution, and child protective services.

19 (4) The training required by this section shall: (a) Be based on
20 research-based practices and standards; (b) minimize the trauma of
21 all persons who are interviewed during abuse investigations; (c)
22 provide methods of reducing the number of investigative interviews
23 necessary whenever possible; (d) assure, to the extent possible, that
24 investigative interviews are thorough, objective, and complete; (e)
25 recognize needs of special populations, such as persons with
26 developmental disabilities; (f) recognize the nature and consequences
27 of victimization; (g) require investigative interviews to be
28 conducted in a manner most likely to permit the interviewed persons
29 the maximum emotional comfort under the circumstances; (h) address
30 record retention and retrieval; (~~and~~) (i) address documentation of
31 investigative interviews; and (j) include self-care for child welfare
32 workers.

33 (5) The identification of domestic violence is critical in
34 ensuring the safety of children in the child welfare system. (~~As a~~
35 ~~result~~) It is also critical for child welfare workers to support
36 victims of domestic violence while victims continue to care for their
37 children, when possible, as domestic violence perpetrated against
38 someone other than the child does not constitute negligent treatment
39 or maltreatment in and of itself as provided in RCW 26.44.020. For
40 these reasons, ongoing domestic violence training and consultation

1 shall be provided to (~~caseworkers~~) child welfare workers, including
2 how to use the department's practice guide to domestic violence.

3 (6) By January 1, 2021, the department shall:

4 (a) Develop and implement an evidence-based curriculum for
5 supervisors providing support to child welfare workers to better
6 prepare candidates for effective supervisory and leadership roles
7 within the department;

8 (b) Develop specialized training for child welfare workers that
9 includes simulation and coaching designed to improve clinical and
10 analytical skills;

11 (c) Based on the report required under section 2(2) of this act,
12 develop and implement training for child welfare workers that
13 incorporates trauma-informed care and reflective supervision
14 principles.

15 (7) For purposes of this section, "child welfare worker" means an
16 employee of the department whose job includes supporting or providing
17 child welfare services as defined in RCW 74.13.020 or child
18 protective services as defined in RCW 26.44.020.

19 NEW SECTION. Sec. 4. A new section is added to chapter 43.216
20 RCW to read as follows:

21 (1) The department shall create dedicated positions used to
22 assist with the caseload of other child welfare workers that need to
23 take leave or a reduction in caseload following a critical incident.
24 These staff may also provide one-on-one coaching and case management
25 during weekends and after regular business hours. The purpose of this
26 dedicated employee unit is to allow child welfare workers to take
27 leave or reduce caseloads following a critical incident without
28 increasing the caseload of other employees.

29 (2) The department shall provide child welfare workers and those
30 supervising child welfare workers with access to:

31 (a) A critical incident protocol that establishes a process for
32 appropriately responding to traumatic or high stress incidents in a
33 manner that provides employees with proper mental health and stress
34 management support, guidance, and education; and

35 (b) Peer counseling from someone trained in providing peer
36 counseling and support.

37 (3) The department shall systematically collect workforce data
38 regarding child welfare workers including staff turnover, workload

1 distribution, exit interviews, and regular staff surveys to assess
2 organizational culture and psychological safety.

3 (4) The department shall make a concerted effort to increase
4 efficiency through the reduction of paperwork.

5 (5) The department shall develop a scientifically based method
6 for measuring the direct service time of child welfare workers and
7 contracted resources.

8 (6) The department shall convene a technical work group to
9 develop a workload model including standardized ratios for
10 supervisors, clerical, and other child welfare worker support staff
11 and child welfare worker caseload ratios by case type.

12 (a) The technical work group must include:

13 (i) Two child welfare worker representatives, one from west of
14 the crest of the Cascade mountain range, and one from east of the
15 crest of the Cascade mountain range;

16 (ii) Fiscal staff from the department;

17 (iii) Human resources staff from the department; and

18 (iv) A representative from the office of financial management.

19 (b) The department shall provide a report to the relevant
20 committees of the legislature in compliance with RCW 43.01.036 by
21 December 1, 2019, that includes a description of the workload model
22 recommended by the technical work group and the steps the department
23 is taking to implement this model.

24 (c) The technical work group established in this section shall
25 continue to meet and provide an annual report to the relevant
26 committees of the legislature in compliance with RCW 43.01.036 by
27 December 1st of each year regarding any recommended modifications to
28 the workload model and steps the department is taking to implement
29 those changes.

30 (7) The definitions in this subsection apply throughout this
31 section unless the context clearly requires otherwise.

32 (a) "Child welfare worker" means an employee of the department
33 whose job includes supporting or providing child welfare services as
34 defined in RCW 74.13.020 including those providing family assessment
35 response services as defined in RCW 26.44.020 or child protective
36 services as defined in RCW 26.44.020.

37 (b) "Critical incident" means an incident that is unusual and
38 involves a perceived or actual threat of harm to an individual which
39 includes but is not limited to child fatalities or near fatalities.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.14B
2 RCW to read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Department" means the department of children, youth, and
6 families.

7 (2) "Secretary" means the secretary of the department of
8 children, youth, and families.

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