

CERTIFICATION OF ENROLLMENT

SENATE BILL 6623

Chapter 265, Laws of 2020

66th Legislature
2020 Regular Session

YOUTH HOST HOMES--FUNDING RESTRICTIONS

EFFECTIVE DATE: June 11, 2020

Passed by the Senate March 10, 2020
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House March 6, 2020
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 31, 2020 11:27 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6623** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

March 31, 2020

**Secretary of State
State of Washington**

SENATE BILL 6623

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 (h) Licensed physicians or lawyers;

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

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

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

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

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

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

18 (o) (i) A host home program, and host home, operated by a tax
19 exempt organization for youth not in the care of or receiving
20 services from the department, if that program: ~~((+i))~~ (A) Recruits
21 and screens potential homes in the program, including performing
22 background checks on individuals over the age of eighteen residing in
23 the home through the Washington state patrol or equivalent law
24 enforcement agency and performing physical inspections of the home;
25 ~~((+ii))~~ (B) screens and provides case management services to youth
26 in the program; ~~((+iii))~~ (C) obtains a notarized permission slip or
27 limited power of attorney from the parent or legal guardian of the
28 youth authorizing the youth to participate in the program and the
29 authorization is updated every six months when a youth remains in a
30 host home longer than six months; ~~((+iv))~~ (D) obtains insurance for
31 the program through an insurance provider authorized under Title 48
32 RCW; ~~((+v))~~ (E) provides mandatory reporter and confidentiality
33 training; and ~~((+vi))~~ (F) registers with the secretary of state as
34 provided in RCW 24.03.550. ~~((A host home))~~

35 (ii) For purposes of this section, a "host home" is a private
36 home that volunteers to host youth in need of temporary placement
37 that is associated with a host home program.

38 (iii) For purposes of this section, a "host home program" is a
39 program that provides support to individual host homes and meets the
40 requirements of (o) (i) of this subsection.

1 (iv) Any host home program that receives local, state, or
2 government funding shall report the following information to the
3 office of homeless youth prevention and protection programs annually
4 by December 1st of each year: The number of children the program
5 served, why the child was placed with a host home, and where the
6 child went after leaving the host home, including but not limited to
7 returning to the parents, running away, reaching the age of majority,
8 or becoming a dependent of the state. (~~A host home program shall not
9 receive more than one hundred thousand dollars per year of public
10 funding, including local, state, and federal funding. A host home
11 shall not receive any local, state, or government funding.~~)

12 (3) "Department" means the department of children, youth, and
13 families.

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

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

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

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

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

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

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

36 (a) Educational services, including basic literacy and
37 computational skills training, either in local alternative or public
38 high schools or in a high school equivalency program that leads to
39 obtaining a high school equivalency degree;

1 (b) Assistance and counseling related to obtaining vocational
2 training or higher education, job readiness, job search assistance,
3 and placement programs;

4 (c) Counseling and instruction in life skills such as money
5 management, home management, consumer skills, parenting, health care,
6 access to community resources, and transportation and housing
7 options;

8 (d) Individual and group counseling; and

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

Passed by the Senate March 10, 2020.

Passed by the House March 6, 2020.

Approved by the Governor March 31, 2020.

Filed in Office of Secretary of State March 31, 2020.

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