

Section 2(2)(g) requires that the Governor's budget document display specific objects of expenditures for major programs. Current practice is to display all objects at the agency level, and selected objects at the program level.

By creating additional statutory requirements, the Legislature will increase the cost and size of what is already a 900-page document. Detailed object information is available from the Office of Financial Management; it is not necessary that this same information be incorporated into the published budget. For these reasons, I am vetoing Section 2(2)(g).

Section 12 specifies that the bill will be effective on August 1, 1987, except for section 7, which is to take effect immediately.

The immediate implementation of section 7 is impractical. Section 7 places restrictions on fund and account deficiencies. The restrictions are complex and comprehensive. Additional time is required to fully implement the provisions of this section. Accordingly, I am vetoing section 12 so that the entire bill will become effective 90 days after the adjournment of the regular session.

With the exceptions of sections 2(2)(g) and 12, Substitute Senate Bill No. 5606 is approved."

CHAPTER 503

[Engrossed Second Substitute House Bill No. 586]

CHILD ABUSE AND NEGLECT—SERVICES PILOT PROJECT—CASEWORKER STANDARDS—FOSTER PARENT TRAINING—THERAPEUTIC DAY CARE AND TREATMENT—COUNSELING—REPORTING OF ABUSE

AN ACT Relating to child abuse and neglect; amending RCW 9.69.100; adding a new chapter to Title 74 RCW; creating new sections; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. CHILDREN'S PILOT PROJECT. The legislature finds that the protection and positive development of children is paramount to the successful functioning and future of this state.

(1) The purpose of this act is to prevent child abuse and neglect and to promote the delivery of cost-effective child and family services through the establishment of a pilot project in order to guide the state in establishing a comprehensive system of children and family services state-wide by 1990. The department of social and health services shall implement the pilot project.

(2) The goals of the pilot project are:

(a) To demonstrate delivery of a continuum of services for children and families that will maximize problem prevention, early problem intervention and resolution, and family independence while maintaining the physical safety and emotional well-being of the child;

(b) To demonstrate the use of outcome measures to determine the cost-effectiveness of service components and the system as a whole;

(c) To demonstrate that services can be designed to be appropriate, accessible, and sensitive to the needs of all populations within the community, including minority cultures and ethnic groups;

(d) To eliminate fiscal and process barriers where possible in order to increase efficiency in providing services;

(e) To encourage the conceptual development of a continuum of services model to meet the needs of children and families and to maximize and coordinate available federal, state, and local resources;

(f) To involve local communities, schools, private entities, and other state agencies, including the division of mental health of the department of social and health services, in the future assessment and planning of services in an open and formal way; and

(g) To enhance the provision of quality services through a system of workload management.

(3) The pilot project shall be conducted in the following service areas: The Kent children's service office, the Spokane children's service office, and the Chehalis children's service office.

NEW SECTION. Sec. 2. CONTINUUM OF SERVICES. (1) A continuum of services shall consist of the following services: Intake, early intervention, service needs assessment, crisis intervention, family support, intensive family support, foster care, group care, reunification, permanency planning, and adoption support.

(2) The pilot project shall assure broad-based community participation by involving local agencies and professionals in initial and continued planning and by funding contracts and other agreements for services from private and community agencies. Prior to the implementation of local contracts and other agreements, the department shall submit the community participation component of the pilot project implementation plan to a community-based children's services advisory group for review and comment. The advisory group may have been created for the purpose of providing ongoing consultation to the pilot program, or it may be an existing community group which consents to provide ongoing consultation throughout the term of the pilot project. Included shall be the contracting with existing services in the community, such as visiting nurses and other home-based services to provide early preventive and intervention services.

(3) In order to provide services in a continuum: (a) Clients shall enter the system at the least intrusive and most cost-effective level of service appropriate to the needs of the client; (b) client service needs shall be frequently assessed to assure that services continue to be at the least intrusive level appropriate to meet the needs of the client; and (c) guidelines for assessment shall be written and consistently applied throughout the project to assure that service levels may only be skipped under these specific guidelines.

(4) The department of social and health services shall, within funds appropriated for this purpose, use a risk assessment tool when investigating child abuse and neglect referrals. The tool shall be used, on a pilot basis, in

three local office service areas. The department shall, within funds appropriated for this purpose, offer community-based services to persons who are determined not to require further state intervention.

NEW SECTION. Sec. 3. INFORMATION MANAGEMENT SYSTEM. (1) In order to demonstrate the use of outcome measures, the department of social and health services shall:

(a) Implement at the earliest possible date a management information system for monitoring both baseline and outcome data for this project;

(b) Define and quantify outcomes and determine measurement methods before beginning the descriptive phase of planning;

(c) Collect baseline data as determined by desired outcome measures to include at least the following:

(i) The number of children and families requesting services and a categorization of the problems presented;

(ii) The number of children and families receiving services at each level of service and categorization of the problems presented;

(iii) The number of children and families not receiving services at each level because of service unavailability;

(iv) The average length of stay in each level of foster care;

(v) The average length of stay in each level of group care;

(vi) Documentation of services provided prior to placement;

(vii) If services were not provided prior to placement, documentation of the reason therefor;

(viii) Documentation of services provided during or after placement to assist with reunification;

(ix) If reunification services were not provided during or after placement, documentation of the reason therefor; and

(x) Systematic input from public and private service providers, schools, law enforcement, parents, and children regarding current system functioning;

(d) Set goals, outcomes, and objectives regarding the desired effect of the pilot project as a whole and its individual components; and

(e) Monitor individual service providers and the entire system for progress in meeting goals and objectives.

(2) Information collected under this section shall be maintained for the duration of the pilot project.

(3) The department shall report to the senate and house judiciary committees, the senate and house ways and means committees, the senate human services and corrections committee, and the house social services committee regarding the cost of implementing the management information system prior to implementation.

(4) The department shall adopt rules prescribing standards for the operation of services provided as part of the pilot projects and such other rules

as may be necessary for the administration of sections 1 through 6 of this act.

***NEW SECTION. Sec. 4. PILOT PROJECT IMPLEMENTATION.**

(1) The pilot project shall commence on January 1, 1988, and shall terminate December 31, 1989. The department of social and health services shall provide a detailed implementation plan to the legislature by October 15, 1987, *for review and approval by the joint select committee on children and families. During the planning and implementation phases of the pilot project, the department shall report monthly to the joint select committee on its progress.*

(2) The department's implementation plan shall include alternative management models for the pilot project providing for administration of the pilot projects by (a) the local administrator for the courts, (b) the department, (c) a community-based organization, or (d) any combination of these entities.

(3) The implementation plan shall also include a community participation component which describes all contracts and agreements with local agencies and professionals, including the name of the consulting community advisory group required in accordance with section 2(2) of this act.

(4) The implementation plan shall also include criteria and methodology for collecting data necessary for the evaluation in accordance with section 5 of this act.

(5) For purposes of providing services for the pilot projects, the department is authorized to combine funding categories in order to provide for efficient case management to meet the actual needs of children and families.

(6) The department's implementation plan shall also include a proposal for a mechanism establishing a decision-making process when services needed by children and families extend beyond those services available from the division of children and family services.

*Sec. 4 was partially vetoed, see message at end of chapter.

***NEW SECTION. Sec. 5. PILOT PROJECT EVALUATION.** *A final evaluation of the pilot projects shall be conducted by an independent agency under a contract with the legislative budget committee, in consultation with the joint select committee on children and family services. The independent contract agency shall participate in the development of criteria and methods for collecting data necessary for the evaluation, as required by section 4 (4) of this act. The evaluation shall include a comparison of pilot outcomes to the performance of children and family services in comparable areas of the state not served by the pilot project. A report containing the final evaluation analysis shall be given to the joint select committee on children and family services by October 1, 1989.*

*Sec. 5 was vetoed, see message at end of chapter.

***NEW SECTION. Sec. 6. JOINT SELECT COMMITTEE ON CHILDREN.** (1) *There is established a joint select committee on children and family services to be composed of twelve legislators, three appointed by each caucus of the senate and house of representatives, and four lay members, to be appointed by the governor. The chair of the committee shall rotate annually among the legislative members of the majority parties in the senate and house of representatives. A senate member of the committee shall be the first chair.*

(2) *The committee shall have the following functions:*

(a) *To provide oversight in the planning, implementation, and evaluation of the pilot project;*

(b) *To develop a long-term children's services strategy for the development of an effective, comprehensive coordinated children's services delivery system that will meet the needs of children in the state. The objective of the strategy shall be to (i) define existing service needs of children in Washington state, utilizing existing studies and data sources where appropriate, (ii) identify the kinds of services needed by children and families to meet a minimum standard and level of physical and mental health and safety, (iii) identify the current level of services available and gaps or overlapping services, and (iv) make recommendations to implement an effective comprehensive service delivery system. The joint select committee shall submit an initial strategy to the appropriate committees of the legislature by October 1, 1988;*

(c) *In formulating the long-term children's services strategy, the joint select committee shall seek input from providers with expertise in children's mental health, health care including prenatal care, adolescent drug and alcohol treatment, education including early childhood education, nonprofit funding sources, child abuse and neglect, child care, dependency, delinquency and the juvenile justice system, family support services, and representatives from minority communities including the migrant worker community, the black community, the native American community, and the Asian community. The committee shall also consult with the governor, the director of revenue, the office of financial management, the director of community development, the superintendent of public instruction, and the secretary of the department of social and health services;*

(d) *To consult with the Washington council for the prevention of child abuse and neglect regarding the creation of a state-wide data-base clearinghouse. The committee shall report to the appropriate legislative committees regarding the need for and feasibility of a state-wide clearinghouse. If the committee recommends the creation of a clearinghouse, the report shall include alternative designs for a data-base clearinghouse, estimated costs related to both the startup and maintenance of a clearinghouse, potential housing sites for the clearinghouse and placements for terminal links, and funding sources for the clearinghouse;*

(3) The strategy under subsection (2)(b) of this section shall include consideration of:

(a) The evaluation findings of the pilot project regarding maximizing the use of effective existing services and programs through the management and coordination among service providers;

(b) The identification of ways to reduce overlapping services and to fill in service gaps through shared service provisions;

(c) Methods to increase the effectiveness, participation, and communication among city, county, state, private nonprofit, and private for profit funding sources in defining and funding the service delivery system; and

(d) The identification and recommendation of state funding priorities for prevention and early intervention activities to meet the needs of children and families;

(4) A final report outlining the long-term children's services strategy and recommendations shall be submitted to the appropriate committees of the legislature by January 1990.

*Sec. 6 was vetoed, see message at end of chapter.

***NEW SECTION. Sec. 7. PILOT PROJECT EXPIRATION. Sections 1 through 6 of this act shall expire December 31, 1989.**

*Sec. 7 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 8. CHILDREN'S SERVICES WORKERS—HIRING AND TRAINING. Caseworkers employed in children services shall meet minimum standards established by the department of social and health services. Comprehensive training for caseworkers shall be completed before such caseworkers are assigned to case-carrying responsibilities without direct supervision. Intermittent, part-time, and standby workers shall be subject to the same minimum standards and training.

NEW SECTION. Sec. 9. CHILDREN'S SERVICES STAFF TRAINING ACADEMY. The department of social and health services, in conjunction with other appropriate consultants, shall develop a plan for implementation of a children's services staff training academy. The plan shall make provision for completion of a course of training within the first three months of employment and before workers are assigned to case management duties without direct supervision. Provisions for advanced and ongoing training shall be included in the plan. The department of social and health services shall submit a plan to the legislature by November 1, 1987. The report shall include the estimated cost of funding the academy.

***NEW SECTION. Sec. 10. CASEWORKER SUPPORT.** The department of social and health services shall, within funds appropriated for this purpose, hire twenty-one full-time equivalent clerical staff to support child

protective services caseworkers in fulfilling their responsibilities. The department shall provide child protective services caseworkers with dictation machines and word processing and personal computer equipment that will increase productivity by reducing the time spent processing paperwork.

*Sec. 10 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 11. FOSTER CARE. The department shall, within funds appropriated for this purpose, provide foster parent training as an ongoing part of the foster care program. The department shall contract for a variety of support services to foster parents to reduce isolation and stress, and to increase skills and confidence.

NEW SECTION. Sec. 12. MULTIDISCIPLINARY TEAMS. The department shall establish and maintain one or more multidisciplinary teams in each state region of the division of children and family services. The team shall consist of at least four persons, selected by the department, from professions which provide services to abused and neglected children and/or the parents of such children. The teams shall be available for consultation on all cases where a risk exists of serious harm to the child and where there is dispute over whether out-of-home placement is appropriate.

NEW SECTION. Sec. 13. THERAPEUTIC DAY CARE AND TREATMENT. The department shall, within funds appropriated for this purpose, provide therapeutic day care and day treatment to children who have been abused or neglected and meet program eligibility criteria.

NEW SECTION. Sec. 14. COUNSELING REFERRALS. The department of social and health services shall inform victims of child abuse and neglect and their families of the availability of state-supported counseling through the crime victims' compensation program, community mental health centers, domestic violence and sexual assault programs, and other related programs. The department shall assist victims with referrals to these services.

*NEW SECTION. Sec. 15. EARLY INTERVENTION SERVICES. *The department of social and health services shall, within funds appropriated for this purpose, contract for forty-five full-time equivalent public health nurses and an equivalent number of homemakers as defined in RCW 74.08-.530 to provide prevention and early intervention services and assist in the investigation of low-risk child abuse and neglect referrals.*

*Sec. 15 was vetoed, see message at end of chapter.

*NEW SECTION. Sec. 16. FINANCIAL DETERMINATION. *The department of social and health services shall, within funds appropriated for this purpose, establish a Title IV B and E of the social security act eligibility determination program. The program shall ensure that every child in foster care eligible for federal financial participation is correctly identified.*

*Sec. 16 was vetoed, see message at end of chapter.

****NEW SECTION. Sec. 17. ADDITIONAL ATTORNEYS. The department of social and health services shall, within funds appropriated for this purpose, provide six additional full-time equivalent assistant attorneys general to provide legal services for child protective services cases.***

*Sec. 17 was vetoed, see message at end of chapter.

Sec. 18. Section 8, chapter 49, Laws of 1970 ex. sess. as amended by section 21, chapter 443, Laws of 1985 and RCW 9.69.100 are each amended to read as follows:

(1) ~~((Whoever, having witnessed))~~ A person who witnesses the actual commission of:

(a) A violent offense as defined in RCW 9.94A.030((17)) or preparations for the commission of such an offense((, or the actual commission of a felony sexual offense or an attempted felony sexual offense, does not as soon as reasonably possible notify the prosecuting attorney, or law enforcement, medical assistance, or other public officials of the state of Washington having jurisdiction over the matter, shall be guilty of a gross misdemeanor: PROVIDED, That nothing in this section shall be so construed to affect existing privileged relationships as provided by law. PROVIDED FURTHER, That the duty to notify a person or agency specified in this subsection shall be met if a person notifies or attempts to provide such notice by telephone or any other means, as soon as reasonably possible.

(2) ~~For the purposes of this section, "felony sexual offense" means a sexual offense constituting a class B felony under chapter 9.68A, 9A.44, or 9A.64 RCW);~~

(b) A sexual offense against a child or an attempt to commit such a sexual offense; or

(c) An assault of a child that appears reasonably likely to cause substantial bodily harm to the child, shall as soon as reasonably possible notify the prosecuting attorney, law enforcement, medical assistance, or other public officials.

(2) This section shall not be construed to affect privileged relationships as provided by law.

(3) The duty to notify a person or agency under this section is met if a person notifies or attempts to provide such notice by telephone or any other means as soon as reasonably possible.

(4) Failure to report as required by subsection (1) of this section is a gross misdemeanor. However, a person is not required to report under this section where that person has a reasonable belief that making such a report would place that person or another family or household member in danger of immediate physical harm.

NEW SECTION. Sec. 19. Section headings as used in this chapter do not constitute any part of the law.

NEW SECTION. Sec. 20. Sections 8, 10 through 14, and 19 of this act shall constitute a new chapter in Title 74 RCW.

NEW SECTION. Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1987.

Passed the House April 23, 1987.

Passed the Senate April 14, 1987.

Approved by the Governor May 19, 1987, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 19, 1987.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to a portion of section 4(1), sections 5, 6, 7, 10, 15, 16 and 17, Second Substitute House Bill No. 586, entitled:

"AN ACT Relating to child abuse and neglect."

This legislation is a direct response to the need for improved and coordinated services to protect our children from abuse and neglect. I heartily support the thrust of this bill and want to ensure its component parts do not duplicate other bills.

Section 6 establishes a joint select committee on children and family services to provide oversight over a comprehensive children's services pilot project and to develop a long-term children's services strategy for the state. This is similar to the objectives required in Substitute House Bill No. 813, which establishes the Governor's Commission on Children. Therefore, this section is duplicative and unnecessary.

Since I have vetoed section 6, which would create the joint select committee on children and family services, I have vetoed a portion of section 4(1) and section 5 since these references to the joint select committee on children and family services have become unnecessary. The bill still instructs the Department of Social and Health Services to provide a detailed implementation plan for the pilot projects to the Legislature.

Section 7 requires the pilot projects to expire on December 31, 1989. This duplicates the termination date in section 4. Therefore, I have vetoed section 7.

Sections 10, 15, 16 and 17 designate specific expenditures for child protective services. I am supportive of the ideas behind these improvement measures but the hiring of specific numbers of attorneys and caseworkers, for example, would be more appropriately found in a budget bill. In addition, with the final passage of the 1987-89 biennium budget having occurred, there will be funds for some of these enhancements. Therefore, I have vetoed sections 10, 15, 16 and 17.

With the exceptions of a portion of section 4(1), sections 5, 6, 7, 10, 15, 16 and 17, Second Substitute House Bill No. 586 is approved."