

2022 Legislative Updates

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What's new

SSB5256 – Child Welfare Housing Program

- ▶ Makes permanent and expands the child welfare housing assistance program that was established by the legislature in 2019 and implemented in 2020.
- ▶ Directs DCYF to administer the program in one or more counties in eastern and western WA within funds appropriated
- ▶ The intent is to reduce the need for placement by preventing homelessness and to shorten the length of out of home placement when such placement was necessary.
- ▶ Eligible families are those with a child who is a dependent and a lack of appropriate housing is a remaining barrier to reunification; and parents of a child who is a candidate for foster care and whose housing instability is a barrier to the child remaining at home

SB5124 – Supporting Guardianships and Voluntary Placement with Nonrelative Kin

- ▶ Establishes a state funded guardianship assistance program so that relatives/others who meet eligibility criteria but has a child in their care who is not eligible for federal foster care reimbursement can receive a subsidy.
- ▶ The child has been placed for at least 6 consecutive months with a guardian who has been licensed for at least six consecutive months; or the child is placed with a guardian who is already receiving a guardianship assistance subsidy for the benefit of the child's sibling.
- ▶ The bill also allows the department to place a child through a VPA with a suitable other (currently a child can only be placed with a relative or licensed foster parent).

SSB5151 – Concerning Foster Care and Child Care Licensing by DCYF

- ▶ The majority of the bill deals with licensing outdoor pre-schools; however, it also addresses child specific foster care licenses.
- ▶ The bill allows DCYF to issue a child-specific license to a relative or suitable person who is seeking to be licensed for a particular child. The individual must meet minimum licensing requirements and other criteria DCYF develops by rule. The intent of the bill was to make it less cumbersome for a relative/suitable person to become licensed.

VPA Proviso

- ▶ \$1,000,000 of the general fund-state appropriation for fiscal year 2024 and \$1,000,000 of the general fund-state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW

Pre-petition budget proviso

- ▶ 1,000,000 of the general fund-state appropriation for fiscal year 2024 and 1,000,000 of the general fund-state appropriation for fiscal year 2025 are provided solely to provide prefilling legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families

2SHB1405 – Preserving Public Benefit Payments to People in the Care of the Dept. of Children, Youth and Families

- ▶ The bill prohibits DCYF from taking benefits, such as SSI, survivor, veteran's, from a child/youth in out-of-home care to reimburse itself for the cost of their care. The prohibition goes into effect on July 1, 2027.
- ▶ The bill did not pass (died in Senate Ways and Means); however, a proviso was included in the budget.
- ▶ \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible.



Passed Legislation to keep on your radar

HB 1227 Keeping Families Together Act

- ▶ 1227 Keeping Families Together Act
 - Removal standard Imminent physical harm
 - Prevention services
 - Presumption of relative care
 - Least harmful foster care placement
 - Visitation

HB 1194 Strengthening Parent-Child Visitation During Child Welfare Proceedings

- Requires Department to provide first visit to family within 72 hours of child being taken into custody, unless extraordinary circumstances exist.
- If visit occurs in-person, visit must be supervised, unless the Department determines visit supervision is not necessary.

SHB1747 Supporting relative placements in child welfare proceedings

- ▶ If a child has been in the home of a foster parent or relative for more than six months, the court must instruct the DCYF to discuss guardianship as a permanent option for the child with the child's parents and caregiver as an alternative to termination of parental rights and adoption.
- ▶ No child who is placed with a relative or other suitable person may be moved, unless, under certain criteria, the court finds that a change in circumstances necessitates a change in placement.
- ▶ The court must consider the efforts taken by the DCYF to support a guardianship and whether a guardianship is available as a permanent option for the child when considering one of the required elements of a termination of parental rights petition.

Child Support

- ▶ Halted the practice of automatic referral and collection of child support in dependency cases.