

Multiple Agency Fiscal Note Summary

| | |
|----------------------------------|-------------------------------------|
| Bill Number: 6109 E 2S SB | Title: Children and families |
|----------------------------------|-------------------------------------|

Estimated Cash Receipts

| Agency Name | 2023-25 | | | 2025-27 | | | 2027-29 | | |
|---|--|-------------|----------------|----------|-------------|----------------|----------|-------------|----------------|
| | GF-State | NGF-Outlook | Total | GF-State | NGF-Outlook | Total | GF-State | NGF-Outlook | Total |
| Washington State Health Care Authority | 0 | 0 | 456,000 | 0 | 0 | 912,000 | 0 | 0 | 912,000 |
| Department of Children, Youth, and Families | Non-zero but indeterminate cost and/or savings. Please see discussion. | | | | | | | | |
| Total \$ | 0 | 0 | 456,000 | 0 | 0 | 912,000 | 0 | 0 | 912,000 |

Estimated Operating Expenditures

| Agency Name | 2023-25 | | | | 2025-27 | | | | 2027-29 | | | |
|---|--|------------------|------------------|------------------|------------|------------------|------------------|------------------|------------|------------------|------------------|------------------|
| | FTEs | GF-State | NGF-Outlook | Total | FTEs | GF-State | NGF-Outlook | Total | FTEs | GF-State | NGF-Outlook | Total |
| Administrative Office of the Courts | 1.0 | 419,400 | 419,400 | 419,400 | 2.0 | 819,600 | 819,600 | 819,600 | 2.0 | 819,600 | 819,600 | 819,600 |
| Office of Public Defense | .9 | 1,107,824 | 1,107,824 | 1,107,824 | 1.8 | 2,178,022 | 2,178,022 | 2,178,022 | 1.8 | 2,178,022 | 2,178,022 | 2,178,022 |
| Office of Civil Legal Aid | .3 | 155,709 | 155,709 | 155,709 | .5 | 407,915 | 407,915 | 407,915 | .5 | 725,431 | 725,431 | 725,431 |
| Office of Attorney General | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Department of Commerce | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Washington State Health Care Authority | .0 | 720,000 | 720,000 | 1,176,000 | .0 | 1,440,000 | 1,440,000 | 2,352,000 | .0 | 1,440,000 | 1,440,000 | 2,352,000 |
| Department of Social and Health Services | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Department of Health | .7 | 186,000 | 186,000 | 186,000 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Department of Children, Youth, and Families | .0 | 972,000 | 972,000 | 972,000 | .0 | 972,000 | 972,000 | 972,000 | .0 | 0 | 0 | 0 |
| Department of Children, Youth, and Families | In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note. | | | | | | | | | | | |
| Total \$ | 2.9 | 3,560,933 | 3,560,933 | 4,016,933 | 4.3 | 5,817,537 | 5,817,537 | 6,729,537 | 4.3 | 5,163,053 | 5,163,053 | 6,075,053 |

Estimated Capital Budget Expenditures

| Agency Name | 2023-25 | | | 2025-27 | | | 2027-29 | | |
|---|------------|----------|----------|------------|----------|----------|------------|----------|----------|
| | FTEs | Bonds | Total | FTEs | Bonds | Total | FTEs | Bonds | Total |
| Administrative Office of the Courts | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Office of Public Defense | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Office of Civil Legal Aid | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Office of Attorney General | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Commerce | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Washington State Health Care Authority | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Social and Health Services | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Health | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Children, Youth, and Families | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Total \$ | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0 |

Estimated Capital Budget Breakout

| | | |
|---------------------------------------|---------------------------------|---|
| Prepared by: Carly Kujath, OFM | Phone: (360) 790-7909 | Date Published: Final 2/22/2024 |
|---------------------------------------|---------------------------------|---|

Judicial Impact Fiscal Note

| | | |
|----------------------------------|-------------------------------------|--|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 055-Administrative Office of the Courts |
|----------------------------------|-------------------------------------|--|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

| STATE | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------|---------|---------|---------|---------|---------|
| State FTE Staff Years | | 2.0 | 1.0 | 2.0 | 2.0 |
| Account | | | | | |
| General Fund-State 001-1 | | 419,400 | 419,400 | 819,600 | 819,600 |
| State Subtotal \$ | | 419,400 | 419,400 | 819,600 | 819,600 |
| COUNTY | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
| County FTE Staff Years | | | | | |
| Account | | | | | |
| Local - Counties | | | | | |
| Counties Subtotal \$ | | | | | |
| CITY | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
| City FTE Staff Years | | | | | |
| Account | | | | | |
| Local - Cities | | | | | |
| Cities Subtotal \$ | | | | | |

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

| | | |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Angie Wirkkala | Phone: 360-704-5528 | Date: 02/13/2024 |
| Agency Approval: Chris Stanley | Phone: 360-357-2406 | Date: 02/13/2024 |
| OFM Review: Gaius Horton | Phone: (360) 819-3112 | Date: 02/13/2024 |

194,477.00

Request # 214-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill would address the support to children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids.

Section 108 (1) would amend judicial training requirements in RCW 2.56.230 related to superior courts participating in the Family and Youth Justice Court Improvement Program. Within six months of assuming duties in a family and juvenile court, required training topics must also include the risk and danger presented to children and youth by high-potency synthetic opioids and the Washington State legal standards for removal of a child based on abuse or neglect.

Section 108 (2)(b) would expand the eligible costs family and juvenile courts may receive reimbursement for to include the costs of training to professionals involved in child welfare court proceedings including, but not limited to, attorneys and guardians ad litem.

II. B - Cash Receipts Impact

None

II. C - Expenditures

To deliver the required training to judges, commissioners, and court partners that would be required under the bill, the Administrative Office of the Courts' (AOC's) Family and Youth Justice Program would need additional training capacity and pass-thru funding to courts.

The work of applying synthetic opioid information to the existing task dependency professionals have of assessing child safety and developing effective safety plans to keep children in their homes when a parent is struggling with a substance use disorder would include:

Total Costs: FY 2025 \$479,000 one-time, \$470,000 per fiscal year ongoing

Training Resources. The AOC would need to add two additional trainers to develop and provide current, science-based fentanyl and child safety training to judicial officers and other court partners. The new staff would also facilitate cross-system learning events to support community building and respect at the court level.

Safety and Substance Use Training Specialist (Senior Court Program Analyst) and Dependency Court Distance Learning Specialist (Court Education Professional). Beginning July 1, 2024 and ongoing, AOC would require salary, benefits, and associated standard costs for 2.0 FTE focused on training.

Additionally, AOC would need additional travel funding for the staff to support in-person training (\$2,000 per year) and to contract for subject matter expertise in safety and fentanyl/substance use disorder work (\$5,000 per year).

Grant Funding. Within current resources, the AOC only has enough funding to reimburse courts for salary and benefits of local court coordinators. Expanding the eligible costs of the program with the expectation of broadening training to professionals involved in child welfare cases would require \$64,000 each fiscal year ongoing to be granted to participating courts. The funding would cover cross-system convenings including speaker fees, facility and meeting logistic fees, materials, and pro tem coverage.

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 30.59% of salaries.

Goods and Services are the agency average of \$3,600 per direct program FTE.

Travel is the agency average of \$2,000 per direct program FTE.

Ongoing Equipment is the agency average of \$1,800 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE.

Agency Indirect is calculated at a rate of 25.86% of direct program salaries and benefits.

Part III: Expenditure Detail

194,477.00

Form FN (Rev 1/00)

2

Request # 214-1

Bill # 6109 E 2S SB

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

| <i>State</i> | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | 2.0 | 1.0 | 2.0 | 2.0 |
| | | | | | |
| Salaries and Wages | | 197,100 | 197,100 | 394,200 | 394,200 |
| Employee Benefits | | 60,300 | 60,300 | 120,600 | 120,600 |
| Professional Service Contracts | | 5,000 | 5,000 | 10,000 | 10,000 |
| Goods and Other Services | | 7,200 | 7,200 | 14,400 | 14,400 |
| Travel | | 6,000 | 6,000 | 12,000 | 12,000 |
| Capital Outlays | | 13,200 | 13,200 | 7,200 | 7,200 |
| Inter Agency/Fund Transfers | | | | | |
| Grants, Benefits & Client Services | | 64,000 | 64,000 | 128,000 | 128,000 |
| Debt Service | | | | | |
| Interagency Reimbursements | | | | | |
| Intra-Agency Reimbursements | | 66,600 | 66,600 | 133,200 | 133,200 |
| Total \$ | | 419,400 | 419,400 | 819,600 | 819,600 |

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

| Job Classification | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|------------------------------|---------|---------|---------|---------|---------|---------|
| Court Education Professional | 88,800 | | 1.0 | 0.5 | 1.0 | 1.0 |
| Sr Court Program Analyst | 108,300 | | 1.0 | 0.5 | 1.0 | 1.0 |
| Total FTEs | | | 2.0 | 1.0 | 2.0 | 2.0 |

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

194,477.00

Form FN (Rev 1/00)

NONE

None

194,477.00

Form FN (Rev 1/00)

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Request # 214-1

Bill # 6109 E 2S SB

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|---|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 056-Office of Public Defense |
|----------------------------------|-------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | 0.0 | 1.8 | 0.9 | 1.8 | 1.8 |
| Account | | | | | |
| General Fund-State 001-1 | 0 | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |
| Total \$ | 0 | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Amelia Watson | Phone: 360-586-3164 1 | Date: 02/15/2024 |
| Agency Approval: Sophia Byrd McSherry | Phone: 360-586-3164 | Date: 02/15/2024 |
| OFM Review: Gaius Horton | Phone: (360) 819-3112 | Date: 02/15/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The following provisions of Engrossed Second Substitute Senate Bill 6109 are anticipated to impact the Office of Public Defense.

- Section 101 amends RCW 13.34.030 to define high-potency synthetic opioid.
- Section 102 amends RCW 13.34.050 so that a court may enter an order removing a child when the court finds reasonable grounds it is necessary to prevent imminent physical harm due to a high-potency synthetic opioid. It also requires the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids.
- Section 103 amends RCW 13.34.065 to require the court at shelter care to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether removal of the child is necessary to prevent imminent physical harm as well as whether participation in services would prevent or eliminate the need for removal.
- Section 104 amends RCW 13.34.130 to require the court at fact finding to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether manifest danger exists that a child will suffer serious abuse or neglect if not removed from the home.
- Section 105 and 106 amend RCW 26.44.050 and RCW 26.44.056 to find that the child abuse and neglect establishing a basis for imminent physical harm includes high-potency synthetic opioids.
- Section 107 requires DCYF to hire at least six legal liaison positions (at least one position per DCYF region) to assist in the preparation of dependency court cases involving allegations of high-potency synthetic opioids.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

OPD assumes that Sections 101-107 of E2SSB 6109 will have an indeterminate but significant fiscal impact with the minimum anticipated fiscal impact described below. Parent Representation defense social work services and/or expert services will be needed in additional cases.

OPD assumes the following:

- The average percentage of dependency cases where drug abuse is the sole reason or a secondary reason for child removal will increase from 44% (2017-2023) to 49%.
- Using calendar year 2023 dependency case filings as a barometer (1,927 filings), 944 are projected to be drug abuse cases.
- In order to provide effective assistance of counsel, OPD projects that 10% of cases (94 cases) will request a contracted defense social services worker to participate on the case above current referral requests.
- In order to provide effective assistance of counsel, OPD projects that 20% of cases (189 cases) will have contested shelter care hearings that will require, on average, one defense expert per hearing.
- The average cost of a defense expert is projected to be approximately \$2,500. Examples of potential experts include drug toxicology experts, forensic social workers, parenting experts, and substance use disorder experts.
- The cost of defense experts likely will be impacted by the emergent nature of the referrals needed to meet the short timeline of shelter care hearings.

In order to process the additional Parent Representation cases and defense social services and expert services, the Office of Defense requires:

- A .25 FTE fiscal tech to process increased expert service and travel invoices.
- A .5 FTE paralegal to process expert requests, coordinate with experts, and provide other program supports.
- A 1.0 FTE Parents Representation Program managing attorney for additional technical assistance, training, and oversight. (Note that this workload (for this FTE only) could be absorbed if OPD is funded for a Parents Representation Program training coordinator as provided in the Governor's supplemental budget.)
- 4.0 full-time contracts for defense social work services.

OPD assumes that the statutory change to the fact-finding hearing referenced in Section 104 may create a need for additional legal defense resources at OPD, but the impact is indeterminate at this time. OPD assumes that the minimum of six legal liaison positions (at least one per DCYF region) referenced in Section 107, to assist DCYF and the office of the Attorney General in filing dependency cases, may create a need for additional legal defense resources at OPD, but the impact is indeterminate at this time.

OPD projects increased annual costs as follows:

- \$182,136 for salaries, as identified at Expenditure Object A (Salaries and Wages).
- \$48,975 for employee benefits, as identified at Expenditure Object B (Employee Benefits).
- \$43,813 for office materials, equipment, and services in the first year and \$25,000 in subsequent years, as identified at Expenditure Object E (Goods and Services).
- \$10,000 for travel for contracted attorneys, defense social work contractors, and experts, as identified at Expenditure Object G (Travel).
- \$350,400 for defense social work contractors, included at Expenditure Object N (Grants & Client Services).
- \$472,500 for Parent Representation Program defense experts, included at Expenditure Object N (Grants & Client Services).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|-------|---------|-----------|-----------|-----------|-----------|
| 001-1 | General Fund | State | 0 | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |
| Total \$ | | | 0 | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | | 1.8 | 0.9 | 1.8 | 1.8 |
| A-Salaries and Wages | | 182,136 | 182,136 | 364,272 | 364,272 |
| B-Employee Benefits | | 48,975 | 48,975 | 97,950 | 97,950 |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | | 43,813 | 43,813 | 50,000 | 50,000 |
| G-Travel | | 10,000 | 10,000 | 20,000 | 20,000 |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | 822,900 | 822,900 | 1,645,800 | 1,645,800 |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------|---------|---------|---------|---------|---------|---------|
| Fiscal Tech | 69,072 | | 0.3 | 0.1 | 0.3 | 0.3 |
| Managing Attorney | 124,392 | | 1.0 | 0.5 | 1.0 | 1.0 |
| Paralegal | 80,972 | | 0.5 | 0.3 | 0.5 | 0.5 |
| Total FTEs | | | 1.8 | 0.9 | 1.8 | 1.8 |

III. D - Expenditures By Program (optional)

| Program | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------------------------|---------|-----------|-----------|-----------|-----------|
| Children & Families SSB6109 (030) | | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |
| Total \$ | | 1,107,824 | 1,107,824 | 2,178,022 | 2,178,022 |

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|--|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 057-Office of Civil Legal Aid |
|----------------------------------|-------------------------------------|--|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.0 | 0.5 | 0.3 | 0.5 | 0.5 |
| Account | | | | | |
| General Fund-State 001-1 | 0 | 155,709 | 155,709 | 407,915 | 725,431 |
| Total \$ | 0 | 155,709 | 155,709 | 407,915 | 725,431 |

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Jim Bamberger | Phone: (360) 704-4135 | Date: 02/20/2024 |
| Agency Approval: Jim Bamberger | Phone: (360) 704-4135 | Date: 02/20/2024 |
| OFM Review: Gaius Horton | Phone: (360) 819-3112 | Date: 02/21/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The following provisions of Second Substitute Senate Bill 6109 are anticipated to impact the Office of Civil Legal Aid.

- Section 101 amends RCW 13.34.030 to define high-potency synthetic opioid.
- Section 102 amends RCW 13.34.050 so that a court may enter an order removing a child when the court finds reasonable grounds it is necessary to prevent imminent physical harm due to a high-potency synthetic opioid. It also requires the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids.
- Section 103 amends RCW 13.34.065 to require the court at shelter care to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether removal of the child is necessary to prevent imminent physical harm as well as whether participation in services would prevent or eliminate the need for removal.
- Section 104 amends RCW 13.34.130 to require the court at fact finding to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether manifest danger exists that a child will suffer serious abuse or neglect if not removed from the home.
- Section 105 and 106 amend RCW 26.44.050 and RCW 26.44.056 to find that the child abuse and neglect establishing a basis for imminent physical harm includes high-potency synthetic opioids.
- Section 107 requires DCYF to hire at least six legal liaison positions to assist in the preparation of dependency court cases involving allegations of high-potency synthetic opioids.
- Section 109 requires the Department of Health to convene a work group to provide information for child welfare workers, juvenile courts, and families regarding the risks of fentanyl exposure for children and child protective service workers in child protective services investigations. The work group shall include attorneys representing DCYF, children, and parents.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

OCLA assumes that:

- The average percentage of dependency cases where drug abuse is the sole reason or a secondary reason for child removal will increase from 44% (2017-2023) to 49%.
- State (CRP) funded representation will be required in cases in which OCLA has implemented the requirements of RCW 13.34.212(3) (appointment of counsel). This number will grow over time in accordance with the multi-year implementation schedule required under RCW 13.34.212(3)(c). As outlined in the attached spreadsheet this will require an increase of 2 CRP contract attorneys over time.
- Additional CRP attorneys will result in additional expenses for travel, goods & services, expert services, training, and case management system licenses.
- In-house or contracted professional services will be required to provide consistent, and effective guidance for CRP contractors in cases where removal is based in whole or in part on the presence of high-potency synthetic opioids. Such professionals will need to be qualified to address the intersection of parenting, child and youth safety, and substance abuse, including abuse of high-potency synthetic opioids.
- DCYF IV-E reimbursement @ 20.5%

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1 | General Fund | State | 0 | 155,709 | 155,709 | 407,915 | 725,431 |
| Total \$ | | | 0 | 155,709 | 155,709 | 407,915 | 725,431 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|----------|----------|-----------|-----------|
| FTE Staff Years | | 0.5 | 0.3 | 0.5 | 0.5 |
| A-Salaries and Wages | | 47,500 | 47,500 | 99,318 | 105,367 |
| B-Employee Benefits | | 15,200 | 15,200 | 31,782 | 33,717 |
| C-Professional Service Contracts | | 126,060 | 126,060 | 361,626 | 732,166 |
| E-Goods and Other Services | | 4,686 | 4,686 | 13,442 | 27,216 |
| G-Travel | | 2,415 | 2,415 | 6,928 | 14,025 |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | (40,152) | (40,152) | (105,181) | (187,060) |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 155,709 | 155,709 | 407,915 | 725,431 |

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------------|--------|---------|---------|---------|---------|---------|
| CRP Opioid Impacts Professional | 95,000 | | 0.5 | 0.3 | 0.5 | 0.5 |
| Total FTEs | | | 0.5 | 0.3 | 0.5 | 0.5 |

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Professional Services Contracts

| Implementation Year | # of Eligible Children Pre-2447 | Projected Add'l FTE Contractors Per Year pre-2447 | # of Eligible Children post-2447 | Projected FTE Contractors post-2447 Per Year | Add'l FTE Difference Per Year | Projected Add'l Expense Poste-2447 Per Year | Projected Add'l Expense Per Biennium | Total FTE with current and future established 1219 counties | Total FTE Cost Post-2447 | Biennium |
|--------------------------|---------------------------------|---|----------------------------------|--|-------------------------------|---|--------------------------------------|---|--------------------------|------------------|
| 2024 (active) | 1,430 | 31.75 | 1,430 | 31.75 | 0 | | 2023-2025 | 31.75 | - | 2023-2025 |
| 2025 | 654 | 14.6 | 687 | 15.3 | 0.7 | \$ 126,060.00 | \$ 126,060.00 | 47 | \$ 8,978,910.00 | \$ 8,978,910.00 |
| 2026 | 1076 | 24.9 | 1130 | 25.1 | 0.2 | \$ 39,473.33 | 2025-2027 | 72 | \$ 13,774,283.33 | 2025-2027 |
| 2027 | 744 | 17.2 | 781 | 17.4 | 0.2 | \$ 30,560.00 | \$ 70,033.33 | 89.5 | \$ 17,090,043.33 | \$ 30,864,326.67 |
| 2028 | 921 | 20.6 | 967 | 21.5 | 0.9 | \$ 169,990.00 | 2027-2029 | 111 | \$ 21,194,633.33 | 2027-2029 |
| 2029 (fully implemented) | 4,825 | 109 | 4995 | 111 | 2 | \$ 366,083.33 | \$ 536,073.33 | 111 | \$ 21,194,633.33 | \$ 42,389,266.67 |

Travel Expenses

| Per FTE projected Expense | Pre-2447 | Post-2447 | Projected Add'l Expense Per Year Post 2447 | Projected Add'l Expense Per Biennium |
|---------------------------|---------------|---------------|--|--------------------------------------|
| \$ 3,659.00 | - | - | - | 2023-2025 |
| 2025 | \$ 169,594.65 | \$ 172,009.59 | \$ 2,414.94 | \$ 2,414.94 |
| 2026 | \$ 260,703.75 | \$ 263,874.88 | \$ 3,171.13 | 2025-2027 |
| 2027 | \$ 323,638.55 | \$ 327,395.12 | \$ 3,756.57 | \$ 6,927.71 |
| 2028 | \$ 399,013.95 | \$ 406,027.03 | \$ 7,013.08 | 2027-2029 |
| 2029 | \$ 399,013.95 | \$ 406,027.03 | \$ 7,013.08 | \$ 14,026.17 |

Goods & Services Totals

| Projected Add'l Expense Per Biennium |
|--------------------------------------|
| 2023-2025 |
| \$ 4,686.00 |
| 2025-2027 |
| \$ 13,442.67 |
| 2027-2029 |
| \$ 27,216.67 |

"Goods and Services"

Expert Expenses

| Per FTE projected Expense | Pre-2447 | Post-2447 | Projected Add'l Expense Per Year Post 2447 | Projected Add'l Expense Per Biennium |
|---------------------------|---------------|---------------|--|--------------------------------------|
| \$ 1,667.00 | - | - | - | 2023-2025 |
| 2025 | \$ 77,265.45 | \$ 78,365.67 | \$ 1,100.22 | \$ 1,100.22 |
| 2026 | \$ 118,773.75 | \$ 120,218.48 | \$ 1,444.73 | 2025-2027 |
| 2027 | \$ 147,446.15 | \$ 149,157.60 | \$ 1,711.45 | \$ 3,156.19 |
| 2028 | \$ 181,786.35 | \$ 184,981.43 | \$ 3,195.08 | 2027-2029 |
| 2029 | \$ 181,786.35 | \$ 184,981.43 | \$ 3,195.08 | \$ 6,390.17 |

Training Expenses

| Per FTE projected Expense | Pre-2447 | Post-2447 | Projected Add'l Expense Per Year Post 2447 | Projected Add'l Expense Per Biennium |
|---------------------------|---------------|---------------|--|--------------------------------------|
| \$ 2,500.00 | - | - | - | 2023-2025 |
| 2025 | \$ 115,875.00 | \$ 117,525.00 | \$ 1,650.00 | \$ 1,650.00 |
| 2026 | \$ 178,125.00 | \$ 180,291.67 | \$ 2,166.67 | 2025-2027 |
| 2027 | \$ 221,125.00 | \$ 223,691.67 | \$ 2,566.67 | \$ 4,733.33 |
| 2028 | \$ 272,625.00 | \$ 277,416.67 | \$ 4,791.67 | 2027-2029 |
| 2029 | \$ 272,625.00 | \$ 277,416.67 | \$ 4,791.67 | \$ 9,583.33 |

CAROS, Odyssey, Linc

| Per FTE projected Expense | Pre-2447 | Post-2447 | Projected Add'l Expense Per Year Post 2447 | Projected Add'l Expense Per Biennium |
|---------------------------|---------------|---------------|--|--------------------------------------|
| \$ 2,933.00 | - | - | - | 2023-2025 |
| 2025 | \$ 135,944.55 | \$ 137,880.33 | \$ 1,935.78 | \$ 1,935.78 |
| 2026 | \$ 208,976.25 | \$ 211,518.18 | \$ 2,541.93 | 2025-2027 |
| 2027 | \$ 259,423.85 | \$ 262,435.06 | \$ 3,011.21 | \$ 5,553.15 |
| 2028 | \$ 319,843.65 | \$ 325,465.23 | \$ 5,621.58 | 2027-2029 |
| 2029 | \$ 319,843.65 | \$ 325,465.23 | \$ 5,621.58 | \$ 11,243.17 |

Opioid Impacts Professional Staff

| Per FTE projected Expense | Pre-2447 | Post-2447 | Projected Add'l Expense Per Year Post 2447 | Projected Add'l Expense Per Biennium |
|---------------------------|----------|--------------|--|--------------------------------------|
| 2025 Salary | \$ - | \$ 47,500.00 | \$ 47,500.00 | \$ 47,500.00 |
| 2025 Benefits | \$ - | \$ 15,200.00 | \$ 15,200.00 | 2023-2025 |
| 2026 Salary | \$ - | \$ 48,925.00 | \$ 48,925.00 | |
| 2026 Benefits | \$ - | \$ 15,656.00 | \$ 15,656.00 | |
| 2027 Salary | \$ - | \$ 50,392.75 | \$ 50,392.75 | 2025-2027 |
| 2027 Benefits | \$ - | \$ 16,125.68 | \$ 16,125.68 | \$ 131,099.43 |
| 2028 Salary | \$ - | \$ 51,904.53 | \$ 51,904.53 | |
| 2028 Benefits | \$ - | \$ 16,609.45 | \$ 16,609.45 | |
| 2029 Salary | \$ - | \$ 53,461.67 | \$ 53,461.67 | 2027-2028 |
| 2029 Benefits | \$ - | \$ 17,107.73 | \$ 17,107.73 | \$ 139,083.39 |

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|---|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 100-Office of Attorney General |
|----------------------------------|-------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Dan Jensen | Phone: 360-664-9429 | Date: 02/15/2024 |
| Agency Approval: Joe Zawislak | Phone: 360-586-3003 | Date: 02/15/2024 |
| OFM Review: Val Terre | Phone: (360) 280-3073 | Date: 02/15/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

1. The Attorney General's Office (AGO) Children, Youth, and Families Division (CYF) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing Department of Children, Youth, and Families (DCYF). This version of the bill does not add any requirements for DCYF to prove. When DCYF requests a pick-up order, requests to place a child in out-of-home placement at shelter care, or requests to have a child placed out-of-home at disposition due to manifest danger that the child will suffer serious abuse or neglect, the court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the Department of Health (DOH). DCYF estimates this bill would result in it seeking 39 additional pick-up orders and asking for out-of-home placement at 53 additional shelter care hearings. The volume of DCYF's dependency filings has not stabilized since HB 1227 became effective on July 1, 2023. Section 109 requires DCYF to collaborate in a workgroup assembled by DOH. This will provide information for child welfare workers, juvenile courts, and families regarding the risks of fentanyl exposure for children and child welfare workers. New legal services are nominal and costs are not included in this request.

2. The AGO Solicitor General's Office (SGO) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

3. The AGO Social & Health Services Division (SHO) has reviewed this bill and determined it will not increase or decrease the division's workload. The enactment of this bill will not impact legal services to Health Care Authority (HCA) because the bill mainly impacts the legal obligations for DCYF. Section 203 does require HCA to expand specific treatment and services to children and youth with prenatal exposure to substances. New legal services are nominal and costs are not included in this request.

4. The AGO Administration Division (ADM) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

5. The AGO Agriculture and Health Division (AHD) has reviewed this bill and determined it will not increase or decrease the division's workload. The enactment of this bill will not impact legal services to DOH or the Department of Commerce (Commerce). Therefore, no costs are included in this request.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|---|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 103-Department of Commerce |
|----------------------------------|-------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Bret Skipworth | Phone: 360-725-3042 | Date: 02/14/2024 |
| Agency Approval: Bret Skipworth | Phone: 360-725-3042 | Date: 02/14/2024 |
| OFM Review: Cheri Keller | Phone: (360) 584-2207 | Date: 02/14/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This measure has no fiscal impact on the Department of Commerce. The substitute removes the 43.330 grant program. Previously sec. 211.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

This bill has no impact on the Department of Commerce.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|---|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 107-Washington State Health Care Authority |
|----------------------------------|-------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

| ACCOUNT | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------|---------|---------|---------|---------|---------|
| General Fund-Federal 001-2 | | 456,000 | 456,000 | 912,000 | 912,000 |
| Total \$ | | 456,000 | 456,000 | 912,000 | 912,000 |

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------|---------|-----------|-----------|-----------|-----------|
| Account | | | | | |
| General Fund-State 001-1 | 0 | 720,000 | 720,000 | 1,440,000 | 1,440,000 |
| General Fund-Federal 001-2 | 0 | 456,000 | 456,000 | 912,000 | 912,000 |
| Total \$ | 0 | 1,176,000 | 1,176,000 | 2,352,000 | 2,352,000 |

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Samuel Quartey | Phone: 360-725-0000 | Date: 02/16/2024 |
| Agency Approval: Cliff Hicks | Phone: 360-725-0875 | Date: 02/16/2024 |
| OFM Review: Arnel Blancas | Phone: (360) 000-0000 | Date: 02/16/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Please see attached.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Please see attached.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Please see attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|---------|---------|-----------|-----------|-----------|-----------|
| 001-1 | General Fund | State | 0 | 720,000 | 720,000 | 1,440,000 | 1,440,000 |
| 001-2 | General Fund | Federal | 0 | 456,000 | 456,000 | 912,000 | 912,000 |
| Total \$ | | | 0 | 1,176,000 | 1,176,000 | 2,352,000 | 2,352,000 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | | | | | |
| A-Salaries and Wages | | | | | |
| B-Employee Benefits | | | | | |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | | | | | |
| G-Travel | | | | | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | 1,176,000 | 1,176,000 | 2,352,000 | 2,352,000 |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 1,176,000 | 1,176,000 | 2,352,000 | 2,352,000 |

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HCA Fiscal Note

Bill Number: **6109 E2SSB**

HCA Request #: 24-155

Title: **Children and Families**

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

| ACCOUNT | REV SOURCE | FY-2024 | FY-2025 | FY-2026 | FY-2027 | FY-2028 | FY-2029 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------|------------|-------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| General Fund-Federal 001-2 | 0393 | - | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 912,000 | 912,000 |
| REVENUE - TOTAL \$ | | \$ - | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 912,000 | \$ 912,000 |

Estimated Operating Expenditures from:

| ACCOUNT | ACCOUNT TITLE | TYPE | FY-2024 | FY-2025 | FY-2026 | FY-2027 | FY-2028 | FY-2029 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------|---------------|---------|-------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| 001-1 | General Fund | State | - | 720,000 | 720,000 | 720,000 | 720,000 | 720,000 | 720,000 | 1,440,000 | 1,440,000 |
| 001-2 | General Fund | Federal | - | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 912,000 | 912,000 |
| ACCOUNT - TOTAL \$ | | | \$ - | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 2,352,000 | \$ 2,352,000 |

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

HCA Fiscal Note

Bill Number: **6109 E2SSB**

HCA Request #: 24-155

Title: **Children and Families**

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

6109 E2SSB relates to supporting children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids.

Sec. 206. A new section is added to chapter 74.13 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the Department of Children, Youth, and Families (DCYF) shall establish a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning. This update does not affect the Health Care Authority (HCA).

Section 203 (1) mandates HCA, subject to the availability of funds, to expand specific treatment and services to children and youth with prenatal substance exposure who would benefit from evidence-based services impacting their behavioral and physical health.

Section 203 (2) requires HCA to contract for services authorized in subsection one with a behavioral health entity in a manner that allows leveraging of federal Medicaid funds.

Section 203 (3) instructs HCA to consult with DCYF in the implementation of services authorized in this section.

II. B - Cash Receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

| ACCOUNT | REV SOURCE | FY-2024 | FY-2025 | FY-2026 | FY-2027 | FY-2028 | FY-2029 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------|------------|---------|------------|------------|------------|------------|------------|------------|------------|------------|
| General Fund-Federal 001-2 | 0393 | - | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 912,000 | 912,000 |
| REVENUE - TOTAL \$ | | \$ - | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 456,000 | \$ 912,000 | \$ 912,000 |

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The fiscal impact of this engrossed second substitute bill is the same as that of the second substitute bill.

New Section 203(2) requires HCA to contract with behavioral health entities for specific expanded treatment and services to children and youth with prenatal substance exposure in a manner that allows leveraging of federal Medicaid funds to pay for a portion of the costs. HCA assumes this bill, if funded, will fold into the work of 2SHB 1168 from last session that expands services and supports to children 3

HCA Fiscal Note

Bill Number: **6109 E2SSB**

HCA Request #: 24-155

Title: **Children and Families**

and older who have prenatal substance exposure. Estimates are based on 2SHB 1168's fiscal model and anticipates any funding toward this section of the bill will continue to build out the network outlined in 2SHB 1168. HCA assumes expanded services to begin in FY2025 at a cost of \$1,176,000 (\$720,000 GF-State) annually - ongoing.

Part III: Expenditure Detail

III. A - Operating Budget Expenditure

| ACCOUNT | ACCOUNT TITLE | TYPE | FY-2024 | FY-2025 | FY-2026 | FY-2027 | FY-2028 | FY-2029 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------|---------------|---------|-------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| 001-1 | General Fund | State | - | 720,000 | 720,000 | 720,000 | 720,000 | 720,000 | 720,000 | 1,440,000 | 1,440,000 |
| 001-2 | General Fund | Federal | - | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 456,000 | 912,000 | 912,000 |
| ACCOUNT - TOTAL \$ | | | \$ - | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 2,352,000 | \$ 2,352,000 |

III. B - Expenditures by Object Or Purpose

| OBJECT | OBJECT TITLE | FY-2024 | FY-2025 | FY-2026 | FY-2027 | FY-2028 | FY-2029 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------|------------------------------------|-------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| N | Grants, Benefits & Client Services | - | 1,176,000 | 1,176,000 | 1,176,000 | 1,176,000 | 1,176,000 | 1,176,000 | 2,352,000 | 2,352,000 |
| OBJECT - TOTAL \$ | | \$ - | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 1,176,000 | \$ 2,352,000 | \$ 2,352,000 |

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout: Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

HCA Fiscal Note

Bill Number: **6109 E2SSB**

HCA Request #: 24-155

Title: **Children and Families**

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

NONE

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|---|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 300-Department of Social and Health Services |
|----------------------------------|-------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Seth Nathan | Phone: 360-902-0001 | Date: 02/13/2024 |
| Agency Approval: Dan Winkley | Phone: 360-902-8236 | Date: 02/13/2024 |
| OFM Review: Anna Minor | Phone: (360) 790-2951 | Date: 02/13/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill relates to supporting children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids.

The Department of Social and Health Services (DSHS) Economic Services Administration (ESA) estimates no workload, caseload, or Information Technology (IT) impacts associated with this bill, therefore no fiscal impact is anticipated.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

| | | |
|----------------------------------|-------------------------------------|---|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 303-Department of Health |
|----------------------------------|-------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.0 | 1.3 | 0.7 | 0.0 | 0.0 |
| Account | | | | | |
| General Fund-State 001-1 | 0 | 186,000 | 186,000 | 0 | 0 |
| Total \$ | 0 | 186,000 | 186,000 | 0 | 0 |

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Amy Burkel | Phone: 3602363000 | Date: 02/14/2024 |
| Agency Approval: Kristin Bettridge | Phone: 3607911657 | Date: 02/14/2024 |
| OFM Review: Breann Boggs | Phone: (360) 485-5716 | Date: 02/15/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This substitute bill adds new section 109, adding to 43.70 RCW that the department shall convene a temporary work group that ends July 1, 2025, in collaboration with the Department of Children, Youth and Families (DCYF), to provide information to child welfare workers and court officers on fentanyl exposure to children in child protective services investigations. This creates additional fiscal impact to the Department of Health (DOH).

This bill Retains Sec. 205, which states that subject to the availability of this specific purpose, the Department of Health (DOH) shall provide funding to support promotoras in at least two communities. These promotoras shall provide culturally sensitive, lay health education for the Latinx community, and act as liaisons between their community, health professionals, and human and social service organizations. Following the lead agency assumptions, the fiscal impact for this section is indeterminant because this section is subject to appropriation.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The previous version of this bill included only section 205, and in following lead agency assumptions, the fiscal note was indeterminate as it was subject to appropriation. This version of the bill includes a new section (109) which does have fiscal impact to the department, as detailed below. The remaining expenditures for section 205 are listed in the narrative, but excluded from the fiscal table.

SECTION 109: New Section

The department will need an additional FTE to coordinate a workgroup on children and exposure to fentanyl, work with Department of Children, Youth and Families (DCYF) staff to facilitate and coordinate meetings, establish and maintain communication between workgroup members, produce reports and external communication, and administer community compensation. The assumption is made that stipends will be necessary to pay people with lived experience and expertise.

1.0 FTE Health Services Consultant 4 (FY25 only)

HSC4 will Implement workgroup on children and exposure to fentanyl, collaboratively with DCYF, to provide public health information and guidance based on synthesis of best practice, literature, and insights of people with lived experience and expertise. Includes facilitating and coordinating meetings, establishing and maintaining communication between workgroup members, collating information and resources, and administering community compensation.

Stipends: \$22,500 (FY25 only)

Stipends to pay people with lived experience and expertise.

\$75 x 60 people x 5 meetings

Total cost to implement section 109:

FY25: 1.3 FTE and \$186,000 (GF-S), One-Time

Section 205: Implementation of this bill is subject to appropriation, following the lead agency assumptions, the fiscal impact

of this section is indeterminate. If funding was appropriated, DOH would require the following FTE and contracts to implement this work:

1.20 FTE Health Services Consultant 3 (FY25 and ongoing)

Contract management and consultation of the two regional promotora organizations to fund and then implement and monitor contracts and deliverables. Activities include developing Request for Application materials, acting as liaison for community partners, coordinating internal DOH program management including contract management, monitoring budget, and evaluation.

Contracts: \$600,000 (FY25 and ongoing)

Contracts for two regional promotora organizations to provide culturally sensitive services to people who are Latinx in at least two communities, one on the west of the crest of the Cascades, and one on the east. This cost includes costs for FTE and travel for the contractors.

Total cost to implement section 205:

FY25 and ongoing: 1.6 FTE and \$788,000 (GF-S)

(Note: The previous version of this bill included only section 205, and was submitted as indeterminate, with the same costs listed in the description.)

Total costs to implement both sections of this bill:

FY25: 2.9 FTE and \$974,000 (GF-S)

FY26 and ongoing: 1.6 FTE and \$ 788,000 (GF-S)

Total FY FTE/costs can include staff and associated expenses, including goods and services, travel, intra-agency, and indirect/overhead costs.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1 | General Fund | State | 0 | 186,000 | 186,000 | 0 | 0 |
| Total \$ | | | 0 | 186,000 | 186,000 | 0 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | 1.3 | 0.7 | | |
| A-Salaries and Wages | | 105,000 | 105,000 | | |
| B-Employee Benefits | | 39,000 | 39,000 | | |
| E-Goods and Other Services | | 33,000 | 33,000 | | |
| T-Intra-Agency Reimbursements | | 9,000 | 9,000 | | |
| 9- | | | | | |
| Total \$ | 0 | 186,000 | 186,000 | 0 | 0 |

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------------------|--------|---------|---------|---------|---------|---------|
| Fiscal Analyst 2 | 53,000 | | 0.2 | 0.1 | | |
| HEALTH SERVICES CONSULTAN 3 | 78,120 | | | | | |
| HEALTH SERVICES CONSULTAN 4 | 86,208 | | 1.0 | 0.5 | | |
| Health Svcs Conslt 1 | 53,000 | | 0.1 | 0.1 | | |
| Total FTEs | | | 1.3 | 0.7 | | 0.0 |

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

| | | |
|----------------------------------|-------------------------------------|--|
| Bill Number: 6109 E 2S SB | Title: Children and families | Agency: 307-Department of Children, Youth, and Families |
|----------------------------------|-------------------------------------|--|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------|---------|---------|---------|---------|---------|
| Account | | | | | |
| General Fund-State 001-1 | 0 | 972,000 | 972,000 | 972,000 | 0 |
| Total \$ | 0 | 972,000 | 972,000 | 972,000 | 0 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|--------------------------------------|-----------------------|------------------|
| Legislative Contact: Luke Wickham | Phone: 360-786-7146 | Date: 02/12/2024 |
| Agency Preparation: Michael Campbell | Phone: 5096544940 | Date: 02/14/2024 |
| Agency Approval: Sarah Emmans | Phone: 360-628-1524 | Date: 02/14/2024 |
| OFM Review: Carly Kujath | Phone: (360) 790-7909 | Date: 02/14/2024 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Comparison of E2SSB 6109 to 2SSB 6109

Section 206 subject to appropriation, DCYF is required to develop and implement a pilot for third party safety planning participants and public health nurses in up to four department offices.

2S SB 6109

Sections 101(15) Amends RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 to define "High-potency synthetic opioid" means an unprescribed synthetic opioid classified as a schedule II-controlled substance or controlled substance analog in chapter 69.50 RCW or by the pharmacy quality assurance commission in rule including, but not limited to, fentanyl.

Section 102 Amends RCW 13.34.050 and 2021 c 211 s 6 to state that endangerment with high-potency synthetic opioids can be a basis for removal of a child and placement of a child to prevent imminent physical harm due to CA/N. 2SSB adds that the court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids when considering whether a child can remain in the home during a pickup order

Section 103(5)(ii)(B)(I) requires the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether placing or maintaining a child in shelter care is necessary to prevent imminent physical harm and whether a parent, guardian, or legal custodian's participation in prevention services would prevent or eliminate the need for the child's removal.

Section 104(6)(c) amends RCW 13.34.130 and 2019 c 172 s 12 to direct the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids, including fentanyl, when deciding whether a manifest danger exists if a child remains in the home during a dispositional hearing.

Section 105 amends RCW 26.44.050 and 2021 c 211 s 5 to include a high-potency synthetic opioids as a basis for law enforcement to have probable cause to take a child into custody without a court order to prevent imminent physical harm due to CA/N.

Section 106 amends RCW 26.44.056 and 2021 c 211 s 4 to include a high-potency synthetic opioids as a basis for a hospital to have probable cause to detain a child to prevent imminent physical harm due to CA/N.

Section 107 Subject to appropriations, establishes at least one legal liaison position in each of its regions (at least 6 positions) to work with DCYF and the AGO to assist in preparing child abuse and neglect cases.

Section 201 requires DCYF, subject to appropriation, to- develop and implement a pilot program of contracted childcare slots for infants in child protective services in locales with the historically highest rates of screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home. This was previously Section 205 of SSB 6109. The 2nd Substitute adds language allowing unused slots to be used for children whose parents screen in due to substances other than high-potency synthetic opioids.

Section 202 requires DCYF, subject to appropriation, to develop and implement a pilot program to contracted home visiting slots in locales with historically highest rates of child welfare screened-in intakes. Priority for the slots shall be given to child protective services cases, family assessment response cases, and family voluntary services cases.

Section 204 Requires DCYF to provide funding and support for two pilot programs to implement an-evidence-based Comprehensive, intensive, in-home parenting services support model to serve children and families from birth to 18 years old who are in child welfare, children’s mental health, or juvenile justice systems. One pilot will serve families west and one pilot will serve families east of the crest of the Cascades. This section expires July 1, 2026.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Indeterminate. DCYF receives federal reimbursement of 20% for Title IV-E qualifying child welfare staffing expenditures and 40% for placement costs.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The total cost is INDETERMINATE. DCYF is not able to estimate the costs for some of the requirements in the bill, and some sections are subject to appropriation. DCYF shows costs for sections where an impact can be estimated below.

Children and Family Services Costs

Sections 101 – 104

These sections could lead to an increase in children removed from the home, taken in custody by law enforcement, or detained in hospitals under the clarified definition of imminent physical harm to include endangerment with high-potency synthetic opioids. Increased involuntary removals could lead to an increase in child welfare workload and foster care placements.

In the November Child Welfare forecast, the Caseload Forecast Council estimates there will be an average of 5.2 fewer licensed placements per month under the removal standard established in current law (E2SHB 1227 (c 211, 1 2021)). This assumption results in a cumulative reduction of 62.8 cases per year to basic foster care caseload forecast. Under the revised imminent harm standard created in this bill, it is likely that some of these cases would meet the standard for involuntary removal and placement.

DCYF does not know how many of these estimated cases would meet the revised imminent harm standard created in this bill due to high-potency synthetic opioids. The following assumptions and costs are for illustrative purposes. If 50 percent of cases involved high-potency synthetic opioids, then DCYF would see an increase of 2.6 placements per month, or a cumulative 31.4 placements per year.

Total estimated cost for these sections: FY25 \$643,000 (\$462,000 GF-S)
FY26 \$1,567,000 (\$1,092,000 GF-S) and subsequent years

Child welfare estimated workload costs:

Workload estimated costs total: FY25 \$304,000 (\$259,000 GF-S)

FY26 \$603,000 (\$514,000 GF-S) and subsequent years

DCYF estimates that at least an additional 31 cases could come into care during FY 25. An additional 31 cases would require two (2) additional SSS3 positions. 31 cases / 18:1 ratio= 2 additional. SSS3- \$152,000 x 2 = 304,000 (\$259,000 GF-S)

In FY26 and subsequent years DCYF estimates an additional 63 cases per year requiring 3.5 SSS3 positions and 0.5 SSS5 positions. 63 cases/ 18:1 ratio = 3.50 SSS3 positions. SSS3- \$152,000 x 3.5 =\$517,000 (\$452,000 GF-S). With 3.5 SSS3 will require 0.5 SSS5 FTE (3.5 SSS3 / 6:1 ratio = 0.5SSS5 FTE). 0.5 SSS5- \$172,000 = \$86,000 (\$73,000 GF-S)

Foster care estimated placement costs:

Placement estimate cost total: FY25 \$339,000 (\$203,000 GF-S)
 FY26 \$964,000 (\$578,000 GF-S) and subsequent years

DCYF assumes that there could be an increase in out of home placements as a result of this bill. DCYF estimates that by June 30, 2025, DCYF will have an additional 204 months of out of home placements by clients for the 31 cases coming into care in FY25. DCYF estimates 204 months x \$1660.21 (per cap as of Nov 23) = \$339,000 (\$203,000 GF-S) in additional placement costs for FY 25.

In FY 26 and subsequent years DCYF assumes there could be an increase of at least 580.5 months of out of home placements by clients from this bill for the 63 cases per year. DCYF estimates 580.5 months x \$1660.21 (per cap as of Nov 23) = \$964,000 (\$578,000 GF-S).

Section 204

DCYF is to provide funding and support for two pilot programs to implement an-evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to 18 years old who are in child welfare, children’s mental health, or juvenile justice systems. To meet the requirements of this section, DCYF would need to contract with a contractor in an east side and a west side location.

DCYF used the Intercept In-home Services Program as a model for two pilot sites. One pilot site in an Eastside location (Yakima County) at an estimated cost of \$480,000 and one pilot site in a westside location (Pierce County) at an estimated cost of \$492,000. Total estimated cost for both sites is \$972,000 GF-S per year for each of FY25 and FY26.

Total: 1,944,000 (\$1,944,000 GF-S)
FY 25: \$972,000 (\$972,000 GF-S)
FY 26: \$972,000 (\$972,000 GF-S)

Section 206

This section is subject to appropriation and costs are INDETERMINATE. This section costs \$1,688,000 (\$1,654,000 GF-S)

Third Party Safety Planning Costs:

DCYF will develop a pilot program in four department offices to support CPS workers in safety planning. The pilot will provide support for cases in families that do not have natural support to aid in safety planning. The estimated cost is based on Office of Innovation Accountability and Alignment (OIAA) data regarding in-home and out-of-home safety plans in four

locations and assumptions regarding the share of cases that would require a public health nurse or a Family Time provider. DCYF estimates costs of this section at:

FY25 \$1,516,000 (\$1,516,000 GF-S)

Requires one (1) Management Analyst 5 (MA5) to manage pilot program. \$172,000 (GF-S 138,000).

Early Learning

Section 201

This section is subject to appropriation and costs are INDETERMINATE. To meet the requirements of this section, DCYF estimates a cost of \$1,600,000 (\$1,597,000 GF-S).

Contracted Safety Care Slots

DCYF estimates the cost to hold 100 full-day infant childcare slots open for four months in locales with historically high rates of screened-in intakes where parental SUD was a factor in the case. DCYF would require one (1) program specialist 5 (PS5) FTE to manage the slots. Slot costs were estimated using an average of each region's full-day infant rate for a provider rated at quality level 3, at 40% childcare center and 60% licensed family homes based on the current mix of provider type.

| staff | FY25 | FY26 | FY27 |
|-------|-------------|-------------|-------------|
| GF-S | \$149,000 | \$142,000 | \$142,000 |
| GF-F | \$3,000 | \$3,000 | \$3,000 |
| | | | |
| slot | FY25 | FY26 | FY27 |
| GF-S | \$1,448,000 | \$1,448,000 | \$1,448,000 |
| GF-F | \$- | \$- | \$- |
| | | | |
| Total | | | |
| GF-S | \$1,597,000 | \$1,590,000 | \$1,590,000 |
| GF-F | \$3,000 | \$3,000 | \$3,000 |

Section 202

This section is subject to appropriation and costs are INDETERMINATE. To meet the requirements of this section, DCYF estimates a cost of \$1,7720,000 from the Home Visiting Services Account for 150 slots. DCYF also estimates the need for 1.0 FTE to manage the slots.

Home Visiting:

DCYF estimates 150 home visiting slots, including 20 percent the cost of training for home visiting providers, at a cost per slot of \$10,679 based. $\$10,679 \times 150 \text{ slots} = \$1,602,000$. DCYF estimates the need for one (1) Program Specialist 5 (PS5) to manage the pilot program. \$158,000 (GF-S 158,000).

Program Support and Prevention

Section 107

This section is subject to appropriation and costs are INDETERMINATE. This section requires DCYF to establish at least six (6) legal liaisons (at least one per region) to work between social service specialist and AGOs office. For modeling purposes, a Social and Health Program Consultant 2 (SHPC2) cost was used.

6 FTE X \$146,000= \$875,000 (GF-S \$574,000).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1 | General Fund | State | 0 | 972,000 | 972,000 | 972,000 | 0 |
| Total \$ | | | 0 | 972,000 | 972,000 | 972,000 | 0 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | | | | |
| A-Salaries and Wages | | | | | |
| B-Employee Benefits | | | | | |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | | | | | |
| G-Travel | | | | | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | 972,000 | 972,000 | 972,000 | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 972,000 | 972,000 | 972,000 | 0 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

| Program | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------------------|---------|---------|---------|---------|---------|
| Children and Families (010) | | 972,000 | 972,000 | 972,000 | |
| Total \$ | | 972,000 | 972,000 | 972,000 | |

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Pilot programs would require new policy changes.