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**SECOND SUBSTITUTE HOUSE BILL 2447**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Senn, Callan, Ramel, and Pollet)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to supporting children, families, and child  
2 welfare workers by improving services and clarifying the child  
3 welfare process in circumstances involving high-potency synthetic  
4 opioids; amending RCW 13.34.050, 13.34.130, 26.44.050, 26.44.056, and  
5 2.56.230; reenacting and amending RCW 13.34.030 and 13.34.065; adding  
6 new sections to chapter 43.216 RCW; adding a new section to chapter  
7 74.14B RCW; adding new sections to chapter 41.05 RCW; adding new  
8 sections to chapter 74.13 RCW; creating new sections; and providing  
9 expiration dates.

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

11 NEW SECTION. **Sec. 1.** (1) The legislature finds that since 2018  
12 there has been a significant increase in the number of child  
13 fatalities and near fatalities involving fentanyl.

14 (2) The legislature finds that fentanyl and other highly potent  
15 synthetic opioids pose a unique and growing threat to the safety of  
16 children in Washington state. Fentanyl is a high-potency synthetic  
17 opioid and, according to the centers for disease control and  
18 prevention, is 50 times more potent than heroin and 100 times more  
19 potent than morphine. Even in very small quantities high-potency  
20 synthetic opioids may be lethal to a child.

1 (3) The legislature intends to provide clarity to judges, social  
2 workers, advocates, and families about the safety threat that highly  
3 potent synthetic opioids pose to vulnerable children. The legislature  
4 declares that public health guidance regarding the lethality of  
5 highly potent synthetic opioids should be given great weight in  
6 determining whether a child is at risk of imminent physical harm as a  
7 result of abuse or neglect.

8 (4) The legislature recognizes the challenges for recovery and  
9 rehabilitation regarding opioid use and resolves to increase services  
10 and supports. The legislature further resolves to increase training  
11 and resources for state and judicial employees to accomplish their  
12 mission and goals in a safe and effective manner.

13 (5) The legislature recognizes that supporting families in crisis  
14 with interventions and services, including preventative services,  
15 voluntary services, and family assessment response, minimizes child  
16 trauma from further child welfare involvement and strengthens  
17 families.

18 **PART I**

19 **HIGH-POTENCY SYNTHETIC OPIOIDS AND CHILD WELFARE**

20 **Sec. 101.** RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 are  
21 each reenacted and amended to read as follows:

22 The definitions in this section apply throughout this chapter  
23 unless the context clearly requires otherwise.

24 (1) "Abandoned" means when the child's parent, guardian, or other  
25 custodian has expressed, either by statement or conduct, an intent to  
26 forego, for an extended period, parental rights or responsibilities  
27 despite an ability to exercise such rights and responsibilities. If  
28 the court finds that the petitioner has exercised due diligence in  
29 attempting to locate the parent, no contact between the child and the  
30 child's parent, guardian, or other custodian for a period of three  
31 months creates a rebuttable presumption of abandonment, even if there  
32 is no expressed intent to abandon.

33 (2) "Child," "juvenile," and "youth" mean:

34 (a) Any individual under the age of eighteen years; or

35 (b) Any individual age eighteen to twenty-one years who is  
36 eligible to receive and who elects to receive the extended foster  
37 care services authorized under RCW 74.13.031. A youth who remains  
38 dependent and who receives extended foster care services under RCW

1 74.13.031 shall not be considered a "child" under any other statute  
2 or for any other purpose.

3 (3) "Current placement episode" means the period of time that  
4 begins with the most recent date that the child was removed from the  
5 home of the parent, guardian, or legal custodian for purposes of  
6 placement in out-of-home care and continues until: (a) The child  
7 returns home; (b) an adoption decree, a permanent custody order, or  
8 guardianship order is entered; or (c) the dependency is dismissed,  
9 whichever occurs first.

10 (4) "Department" means the department of children, youth, and  
11 families.

12 (5) "Dependency guardian" means the person, nonprofit  
13 corporation, or Indian tribe appointed by the court pursuant to this  
14 chapter for the limited purpose of assisting the court in the  
15 supervision of the dependency.

16 (6) "Dependent child" means any child who:

17 (a) Has been abandoned;

18 (b) Is abused or neglected as defined in chapter 26.44 RCW by a  
19 person legally responsible for the care of the child;

20 (c) Has no parent, guardian, or custodian capable of adequately  
21 caring for the child, such that the child is in circumstances which  
22 constitute a danger of substantial damage to the child's  
23 psychological or physical development; or

24 (d) Is receiving extended foster care services, as authorized by  
25 RCW 74.13.031.

26 (7) "Developmental disability" means a disability attributable to  
27 intellectual disability, cerebral palsy, epilepsy, autism, or another  
28 neurological or other condition of an individual found by the  
29 secretary of the department of social and health services to be  
30 closely related to an intellectual disability or to require treatment  
31 similar to that required for individuals with intellectual  
32 disabilities, which disability originates before the individual  
33 attains age eighteen, which has continued or can be expected to  
34 continue indefinitely, and which constitutes a substantial limitation  
35 to the individual.

36 (8) "Educational liaison" means a person who has been appointed  
37 by the court to fulfill responsibilities outlined in RCW 13.34.046.

38 (9) "Experiencing homelessness" means lacking a fixed, regular,  
39 and adequate nighttime residence, including circumstances such as  
40 sharing the housing of other persons due to loss of housing, economic

1 hardship, fleeing domestic violence, or a similar reason as described  
2 in the federal McKinney-Vento homeless assistance act (Title 42  
3 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

4 (10) "Extended foster care services" means residential and other  
5 support services the department is authorized to provide under RCW  
6 74.13.031. These services may include placement in licensed,  
7 relative, or otherwise approved care, or supervised independent  
8 living settings; assistance in meeting basic needs; independent  
9 living services; medical assistance; and counseling or treatment.

10 (11) "Guardian" means the person or agency that: (a) Has been  
11 appointed as the guardian of a child in a legal proceeding, including  
12 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the  
13 legal right to custody of the child pursuant to such appointment. The  
14 term "guardian" does not include a "dependency guardian" appointed  
15 pursuant to a proceeding under this chapter.

16 (12) "Guardian ad litem" means a person, appointed by the court  
17 to represent the best interests of a child in a proceeding under this  
18 chapter, or in any matter which may be consolidated with a proceeding  
19 under this chapter. A "court-appointed special advocate" appointed by  
20 the court to be the guardian ad litem for the child, or to perform  
21 substantially the same duties and functions as a guardian ad litem,  
22 shall be deemed to be guardian ad litem for all purposes and uses of  
23 this chapter.

24 (13) "Guardian ad litem program" means a court-authorized  
25 volunteer program, which is or may be established by the superior  
26 court of the county in which such proceeding is filed, to manage all  
27 aspects of volunteer guardian ad litem representation for children  
28 alleged or found to be dependent. Such management shall include but  
29 is not limited to: Recruitment, screening, training, supervision,  
30 assignment, and discharge of volunteers.

31 (14) "Guardianship" means a guardianship pursuant to chapter  
32 13.36 RCW or a limited guardianship of a minor pursuant to RCW  
33 11.130.215 or equivalent laws of another state or a federally  
34 recognized Indian tribe.

35 (15) "High-potency synthetic opioid" means an unprescribed  
36 synthetic opioid classified as a schedule II controlled substance or  
37 controlled substance analog in chapter 69.50 RCW or by the pharmacy  
38 quality assurance commission in rule including, but not limited to,  
39 fentanyl.

1        ~~(16)~~ (16) "Housing assistance" means appropriate referrals by the  
2 department or other agencies to federal, state, local, or private  
3 agencies or organizations, assistance with forms, applications, or  
4 financial subsidies or other monetary assistance for housing. For  
5 purposes of this chapter, "housing assistance" is not a remedial  
6 service or family reunification service as described in RCW  
7 13.34.025(2).

8        ~~((16))~~ (17) "Indigent" means a person who, at any stage of a  
9 court proceeding, is:

10        (a) Receiving one of the following types of public assistance:  
11 Temporary assistance for needy families, aged, blind, or disabled  
12 assistance benefits, medical care services under RCW 74.09.035,  
13 pregnant women assistance benefits, poverty-related veterans'  
14 benefits, food stamps or food stamp benefits transferred  
15 electronically, refugee resettlement benefits, medicaid, or  
16 supplemental security income; or

17        (b) Involuntarily committed to a public mental health facility;  
18 or

19        (c) Receiving an annual income, after taxes, of one hundred  
20 twenty-five percent or less of the federally established poverty  
21 level; or

22        (d) Unable to pay the anticipated cost of counsel for the matter  
23 before the court because his or her available funds are insufficient  
24 to pay any amount for the retention of counsel.

25        ~~((17))~~ (18) "Nonminor dependent" means any individual age  
26 eighteen to twenty-one years who is participating in extended foster  
27 care services authorized under RCW 74.13.031.

28        ~~((18))~~ (19) "Out-of-home care" means placement in a foster  
29 family home or group care facility licensed pursuant to chapter 74.15  
30 RCW or placement in a home, other than that of the child's parent,  
31 guardian, or legal custodian, not required to be licensed pursuant to  
32 chapter 74.15 RCW.

33        ~~((19))~~ (20) "Parent" means the biological or adoptive parents  
34 of a child, or an individual who has established a parent-child  
35 relationship under RCW 26.26A.100, unless the legal rights of that  
36 person have been terminated by a judicial proceeding pursuant to this  
37 chapter, chapter 26.33 RCW, or the equivalent laws of another state  
38 or a federally recognized Indian tribe.

39        ~~((20))~~ (21) "Prevention and family services and programs" means  
40 specific mental health prevention and treatment services, substance

1 abuse prevention and treatment services, and in-home parent skill-  
2 based programs that qualify for federal funding under the federal  
3 family first prevention services act, P.L. 115-123. For purposes of  
4 this chapter, prevention and family services and programs are not  
5 remedial services or family reunification services as described in  
6 RCW 13.34.025(2).

7 ~~((21))~~ (22) "Prevention services" means preservation services,  
8 as defined in chapter 74.14C RCW, and other reasonably available  
9 services, including housing assistance, capable of preventing the  
10 need for out-of-home placement while protecting the child. Prevention  
11 services include, but are not limited to, prevention and family  
12 services and programs as defined in this section.

13 ~~((22))~~ (23) "Qualified residential treatment program" means a  
14 program that meets the requirements provided in RCW 13.34.420,  
15 qualifies for funding under the family first prevention services act  
16 under 42 U.S.C. Sec. 672(k), and, if located within Washington state,  
17 is licensed as a group care facility under chapter 74.15 RCW.

18 ~~((23))~~ (24) "Relative" includes persons related to a child in  
19 the following ways:

20 (a) Any blood relative, including those of half-blood, and  
21 including first cousins, second cousins, nephews or nieces, and  
22 persons of preceding generations as denoted by prefixes of grand,  
23 great, or great-great;

24 (b) Stepfather, stepmother, stepbrother, and stepsister;

25 (c) A person who legally adopts a child or the child's parent as  
26 well as the natural and other legally adopted children of such  
27 persons, and other relatives of the adoptive parents in accordance  
28 with state law;

29 (d) Spouses of any persons named in (a), (b), or (c) of this  
30 subsection, even after the marriage is terminated;

31 (e) Relatives, as named in (a), (b), (c), or (d) of this  
32 subsection, of any half sibling of the child; or

33 (f) Extended family members, as defined by the law or custom of  
34 the Indian child's tribe or, in the absence of such law or custom, a  
35 person who has reached the age of eighteen and who is the Indian  
36 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
37 or sister-in-law, niece or nephew, first or second cousin, or  
38 stepparent who provides care in the family abode on a twenty-four  
39 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4).

1 ((+24)) (25) "Shelter care" means temporary physical care in a  
2 facility licensed pursuant to RCW 74.15.030 or in a home not required  
3 to be licensed pursuant to RCW 74.15.030.

4 ((+25)) (26) "Sibling" means a child's birth brother, birth  
5 sister, adoptive brother, adoptive sister, half-brother, or half-  
6 sister, or as defined by the law or custom of the Indian child's  
7 tribe for an Indian child as defined in RCW 13.38.040.

8 ((+26)) (27) "Social study" means a written evaluation of  
9 matters relevant to the disposition of the case that contains the  
10 information required by RCW 13.34.430.

11 ((+27)) (28) "Supervised independent living" includes, but is  
12 not limited to, apartment living, room and board arrangements,  
13 college or university dormitories, and shared roommate settings.  
14 Supervised independent living settings must be approved by the  
15 department or the court.

16 ((+28)) (29) "Voluntary placement agreement" means, for the  
17 purposes of extended foster care services, a written voluntary  
18 agreement between a nonminor dependent who agrees to submit to the  
19 care and authority of the department for the purposes of  
20 participating in the extended foster care program.

21 **Sec. 102.** RCW 13.34.050 and 2021 c 211 s 6 are each amended to  
22 read as follows:

23 (1) The court may enter an order directing a law enforcement  
24 officer, probation counselor, or child protective services official  
25 to take a child into custody if: (a) A petition is filed with the  
26 juvenile court with sufficient corroborating evidence to establish  
27 that the child is dependent; (b) ~~((the allegations contained in the  
28 petition, if true, establish that there are reasonable grounds to  
29 believe that removal is necessary to prevent imminent physical harm  
30 to the child due to child abuse or neglect, including that which  
31 results from sexual abuse, sexual exploitation, or a pattern of  
32 severe neglect; and (c))~~ an affidavit or declaration is filed by the  
33 department in support of the petition setting forth specific factual  
34 information evidencing insufficient time to serve a parent with a  
35 dependency petition and hold a hearing prior to removal; and (c) the  
36 allegations contained in the petition, if true, establish that there  
37 are reasonable grounds to believe that removal is necessary to  
38 prevent imminent physical harm to the child due to child abuse or  
39 neglect, including that which results from sexual abuse, sexual

1 exploitation, a pattern of severe neglect, or a high-potency  
2 synthetic opioid. The court shall give great weight to the lethality  
3 of high-potency synthetic opioids and public health guidance related  
4 to high-potency synthetic opioids.

5 (2) Any petition that does not have the necessary affidavit or  
6 declaration demonstrating a risk of imminent harm requires that the  
7 parents are provided notice and an opportunity to be heard before the  
8 order may be entered.

9 (3) The petition and supporting documentation must be served on  
10 the parent, and if the child is in custody at the time the child is  
11 removed, on the entity with custody other than the parent. If the  
12 court orders that a child be taken into custody under subsection (1)  
13 of this section, the petition and supporting documentation must be  
14 served on the parent at the time of the child's removal unless, after  
15 diligent efforts, the parents cannot be located at the time of  
16 removal. If the parent is not served at the time of removal, the  
17 department shall make diligent efforts to personally serve the  
18 parent. Failure to effect service does not invalidate the petition if  
19 service was attempted and the parent could not be found.

20 **Sec. 103.** RCW 13.34.065 and 2021 c 211 s 9, 2021 c 208 s 1, and  
21 2021 c 67 s 4 are each reenacted and amended to read as follows:

22 (1)(a) When a child is removed or when the petitioner is seeking  
23 the removal of a child from the child's parent, guardian, or legal  
24 custodian, the court shall hold a shelter care hearing within 72  
25 hours, excluding Saturdays, Sundays, and holidays. The primary  
26 purpose of the shelter care hearing is to determine whether the child  
27 can be immediately and safely returned home while the adjudication of  
28 the dependency is pending. The court shall hold an additional shelter  
29 care hearing within 72 hours, excluding Saturdays, Sundays, and  
30 holidays if the child is removed from the care of a parent, guardian,  
31 or legal custodian at any time after an initial shelter care hearing  
32 under this section.

33 (b) Any child's attorney, parent, guardian, or legal custodian  
34 who for good cause is unable to attend or adequately prepare for the  
35 shelter care hearing may request that the initial shelter care  
36 hearing be continued or that a subsequent shelter care hearing be  
37 scheduled. The request shall be made to the clerk of the court where  
38 the petition is filed prior to the initial shelter care hearing. Upon  
39 the request of the child's attorney, parent, guardian, or legal



1 custodian, the court shall schedule the hearing within 72 hours of  
2 the request, excluding Saturdays, Sundays, and holidays. The clerk  
3 shall notify all other parties of the hearing by any reasonable  
4 means. If the parent, guardian, or legal custodian is not represented  
5 by counsel, the clerk shall provide information to the parent,  
6 guardian, or legal custodian regarding how to obtain counsel.

7 (2) (a) If it is likely that the child will remain in shelter care  
8 longer than 72 hours, the department shall submit a recommendation to  
9 the court as to the further need for shelter care in all cases in  
10 which the child will remain in shelter care longer than the 72 hour  
11 period. In all other cases, the recommendation shall be submitted by  
12 the juvenile court probation counselor.

13 (b) All parties have the right to present testimony to the court  
14 regarding the need or lack of need for shelter care.

15 (c) Hearsay evidence before the court regarding the need or lack  
16 of need for shelter care must be supported by sworn testimony,  
17 affidavit, or declaration of the person offering such evidence.

18 (3) (a) At the commencement of the hearing, the court shall notify  
19 the parent, guardian, or custodian of the following:

20 (i) The parent, guardian, or custodian has the right to a shelter  
21 care hearing;

22 (ii) The nature of the shelter care hearing, the rights of the  
23 parents, and the proceedings that will follow; and

24 (iii) If the parent, guardian, or custodian is not represented by  
25 counsel, the right to be represented. If the parent, guardian, or  
26 custodian is indigent, the court shall appoint counsel as provided in  
27 RCW 13.34.090; and

28 (b) If a parent, guardian, or legal custodian desires to waive  
29 the shelter care hearing, the court shall determine, on the record  
30 and with the parties present, whether such waiver is knowing and  
31 voluntary. A parent may not waive his or her right to the shelter  
32 care hearing unless he or she appears in court, in person, or by  
33 remote means, and the court determines that the waiver is knowing and  
34 voluntary. Regardless of whether the court accepts the parental  
35 waiver of the shelter care hearing, the court must provide notice to  
36 the parents of their rights required under (a) of this subsection and  
37 make the finding required under subsection (4) of this section.

38 (4) At the shelter care hearing the court shall examine the need  
39 for shelter care and inquire into the status of the case. The  
40 paramount consideration for the court shall be the health, welfare,

1 and safety of the child. At a minimum, the court shall inquire into  
2 the following:

3 (a) Whether the notice required under RCW 13.34.062 was given to  
4 all known parents, guardians, or legal custodians of the child. The  
5 court shall make an express finding as to whether the notice required  
6 under RCW 13.34.062 was given to the parent, guardian, or legal  
7 custodian. If actual notice was not given to the parent, guardian, or  
8 legal custodian and the whereabouts of such person is known or can be  
9 ascertained, the court shall order the department to make diligent  
10 efforts to advise the parent, guardian, or legal custodian of the  
11 status of the case, including the date and time of any subsequent  
12 hearings, and their rights under RCW 13.34.090;

13 (b) Whether the child can be safely returned home while the  
14 adjudication of the dependency is pending;

15 (c) What efforts have been made to place the child with a  
16 relative. The court shall ask the parents whether the department  
17 discussed with them the placement of the child with a relative or  
18 other suitable person described in RCW 13.34.130(1)(b) and shall  
19 determine what efforts have been made toward such a placement;

20 (d) What services were provided to the family to prevent or  
21 eliminate the need for removal of the child from the child's home. If  
22 the dependency petition or other information before the court alleges  
23 that experiencing homelessness or the lack of suitable housing was a  
24 significant factor contributing to the removal of the child, the  
25 court shall inquire as to whether housing assistance was provided to  
26 the family to prevent or eliminate the need for removal of the child  
27 or children;

28 (e) Is the placement proposed by the department the least  
29 disruptive and most family-like setting that meets the needs of the  
30 child;

31 (f) Whether it is in the best interest of the child to remain  
32 enrolled in the school, developmental program, or child care the  
33 child was in prior to placement and what efforts have been made to  
34 maintain the child in the school, program, or child care if it would  
35 be in the best interest of the child to remain in the same school,  
36 program, or child care;

37 (g) Appointment of a guardian ad litem or attorney;

38 (h) Whether the child is or may be an Indian child as defined in  
39 RCW 13.38.040, whether the provisions of the federal Indian child  
40 welfare act or chapter 13.38 RCW apply, and whether there is

1 compliance with the federal Indian child welfare act and chapter  
2 13.38 RCW, including notice to the child's tribe;

3 (i) Whether, as provided in RCW 26.44.063, restraining orders, or  
4 orders expelling an allegedly abusive household member from the home  
5 of a nonabusive parent, guardian, or legal custodian, will allow the  
6 child to safely remain in the home;

7 (j) Whether any orders for examinations, evaluations, or  
8 immediate services are needed. The court may not order a parent to  
9 undergo examinations, evaluation, or services at the shelter care  
10 hearing unless the parent agrees to the examination, evaluation, or  
11 service;

12 (k) The terms and conditions for parental, sibling, and family  
13 visitation.

14 (5) (a) The court shall release a child alleged to be dependent to  
15 the care, custody, and control of the child's parent, guardian, or  
16 legal custodian unless the court finds there is reasonable cause to  
17 believe that:

18 (i) After consideration of the specific services that have been  
19 provided, reasonable efforts have been made to prevent or eliminate  
20 the need for removal of the child from the child's home and to make  
21 it possible for the child to return home; and

22 (ii) (A) The child has no parent, guardian, or legal custodian to  
23 provide supervision and care for such child; or

24 (B) (I) Removal of the child is necessary to prevent imminent  
25 physical harm due to child abuse or neglect, including that which  
26 results from sexual abuse, sexual exploitation, or a pattern of  
27 severe neglect, notwithstanding an order entered pursuant to RCW  
28 26.44.063. The evidence must show a causal relationship between the  
29 particular conditions in the home and imminent physical harm to the  
30 child. The existence of community or family poverty, isolation,  
31 single parenthood, age of the parent, crowded or inadequate housing,  
32 substance abuse, prenatal drug or alcohol exposure, mental illness,  
33 disability or special needs of the parent or child, or nonconforming  
34 social behavior does not by itself constitute imminent physical harm.  
35 The court shall give great weight to the lethality of high-potency  
36 synthetic opioids and public health guidance related to high-potency  
37 synthetic opioids when applying the requirements of this subsection;

38 (II) It is contrary to the welfare of the child to be returned  
39 home; and

1 (III) After considering the particular circumstances of the  
2 child, any imminent physical harm to the child outweighs the harm the  
3 child will experience as a result of removal; or

4 (C) The parent, guardian, or custodian to whom the child could be  
5 released has been charged with violating RCW 9A.40.060 or 9A.40.070.

6 (b) If the court finds that the elements of (a)(ii)(B) of this  
7 subsection require removal of the child, the court shall further  
8 consider:

9 (i) Whether participation by the parents, guardians, or legal  
10 custodians in any prevention services would prevent or eliminate the  
11 need for removal and, if so, shall inquire of the parent whether they  
12 are willing to participate in such services. If the parent agrees to  
13 participate in the prevention services identified by the court that  
14 would prevent or eliminate the need for removal, the court shall  
15 place the child with the parent. The court shall give great weight to  
16 the lethality of high-potency synthetic opioids and public health  
17 guidance related to high-potency synthetic opioids when applying the  
18 requirements of this subsection. The court shall not order a parent  
19 to participate in prevention services over the objection of the  
20 parent, however, parents shall have the opportunity to consult with  
21 counsel prior to deciding whether to agree to proposed prevention  
22 services as a condition of having the child return to or remain in  
23 the care of the parent; and

24 (ii) Whether the issuance of a temporary order of protection  
25 directing the removal of a person or persons from the child's  
26 residence would prevent the need for removal of the child.

27 (c)(i) If the court does not release the child to his or her  
28 parent, guardian, or legal custodian, the court shall order placement  
29 with a relative or other suitable person as described in RCW  
30 13.34.130(1)(b), unless the petitioner establishes that there is  
31 reasonable cause to believe that:

32 (A) Placement in licensed foster care is necessary to prevent  
33 imminent physical harm to the child due to child abuse or neglect,  
34 including that which results from sexual abuse, sexual exploitation,  
35 or a pattern of severe neglect, because no relative or other suitable  
36 person is capable of ensuring the basic safety of the child; or

37 (B) The efforts to reunite the parent and child will be hindered.

38 (ii) In making the determination in (c)(i) of this subsection,  
39 the court shall:

1 (A) Inquire of the petitioner and any other person present at the  
2 hearing for the child whether there are any relatives or other  
3 suitable persons who are willing to care for the child. This inquiry  
4 must include whether any relative or other suitable person:

5 (I) Has expressed an interest in becoming a caregiver for the  
6 child;

7 (II) Is able to meet any special needs of the child;

8 (III) Is willing to facilitate the child's sibling and parent  
9 visitation if such visitation is ordered by the court; and

10 (IV) Supports reunification of the parent and child once  
11 reunification can safely occur; and

12 (B) Give great weight to the stated preference of the parent,  
13 guardian, or legal custodian, and the child.

14 (iii) If a relative or other suitable person expressed an  
15 interest in caring for the child, can meet the child's special needs,  
16 can support parent-child reunification, and will facilitate court-  
17 ordered sibling or parent visitation, the following must not prevent  
18 the child's placement with such relative or other suitable person:

19 (A) An incomplete department or fingerprint-based background  
20 check, if such relative or other suitable person appears otherwise  
21 suitable and competent to provide care and treatment, but the  
22 background checks must be completed as soon as possible after  
23 placement;

24 (B) Uncertainty on the part of the relative or other suitable  
25 person regarding potential adoption of the child;

26 (C) Disbelief on the part of the relative or other suitable  
27 person that the parent, guardian, or legal custodian presents a  
28 danger to the child, provided the caregiver will protect the safety  
29 of the child and comply with court orders regarding contact with a  
30 parent, guardian, or legal custodian; or

31 (D) The conditions of the relative or other suitable person's  
32 home are not sufficient to satisfy the requirements of a licensed  
33 foster home. The court may order the department to provide financial  
34 or other support to the relative or other suitable person necessary  
35 to ensure safe conditions in the home.

36 (d) If the child was not initially placed with a relative or  
37 other suitable person, and the court does not release the child to  
38 his or her parent, guardian, or legal custodian, the department shall  
39 make reasonable efforts to locate a relative or other suitable person  
40 pursuant to RCW 13.34.060(1).

1 (e) If the court does not order placement with a relative or  
2 other suitable person, the court shall place the child in licensed  
3 foster care and shall set forth its reasons for the order. If the  
4 court orders placement of the child with a person not related to the  
5 child and not licensed to provide foster care, the placement is  
6 subject to all terms and conditions of this section that apply to  
7 relative placements.

8 (f) Any placement with a relative, or other suitable person  
9 approved by the court pursuant to this section, shall be contingent  
10 upon cooperation with the department's or agency's case plan and  
11 compliance with court orders related to the care and supervision of  
12 the child including, but not limited to, court orders regarding  
13 parent-child contacts, sibling contacts, and any other conditions  
14 imposed by the court. Noncompliance with the case plan or court order  
15 is grounds for removal of the child from the home of the relative or  
16 other suitable person, subject to review by the court.

17 (g) If the child is placed in a qualified residential treatment  
18 program as defined in this chapter, the court shall, within 60 days  
19 of placement, hold a hearing to:

20 (i) Consider the assessment required under RCW 13.34.420 and  
21 submitted as part of the department's social study, and any related  
22 documentation;

23 (ii) Determine whether placement in foster care can meet the  
24 child's needs or if placement in another available placement setting  
25 best meets the child's needs in the least restrictive environment;  
26 and

27 (iii) Approve or disapprove the child's placement in the  
28 qualified residential treatment program.

29 (h) Uncertainty by a parent, guardian, legal custodian, relative,  
30 or other suitable person that the alleged abuser has in fact abused  
31 the child shall not, alone, be the basis upon which a child is  
32 removed from the care of a parent, guardian, or legal custodian under  
33 (a) of this subsection, nor shall it be a basis, alone, to preclude  
34 placement with a relative or other suitable person under (c) of this  
35 subsection.

36 (i) If the court places with a relative or other suitable person,  
37 and that person has indicated a desire to become a licensed foster  
38 parent, the court shall order the department to commence an  
39 assessment of the home of such relative or other suitable person  
40 within 10 days and thereafter issue an initial license as provided

1 under RCW 74.15.120 for such relative or other suitable person, if  
2 qualified, as a foster parent. The relative or other suitable person  
3 shall receive a foster care maintenance payment, starting on the date  
4 the department approves the initial license. If such home is found to  
5 be unqualified for licensure, the department shall report such fact  
6 to the court within one week of that determination. The department  
7 shall report on the status of the licensure process during the entry  
8 of any dispositional orders in the case.

9 (j) If the court places the child in licensed foster care:

10 (i) The petitioner shall report to the court, at the shelter care  
11 hearing, the location of the licensed foster placement the petitioner  
12 has identified for the child and the court shall inquire as to  
13 whether:

14 (A) The identified placement is the least restrictive placement  
15 necessary to meet the needs of the child;

16 (B) The child will be able to remain in the same school and  
17 whether any orders of the court are necessary to ensure educational  
18 stability for the child;

19 (C) The child will be placed with a sibling or siblings, and  
20 whether court-ordered sibling contact would promote the well-being of  
21 the child;

22 (D) The licensed foster placement is able to meet the special  
23 needs of the child;

24 (E) The location of the proposed foster placement will impede  
25 visitation with the child's parent or parents;

26 (ii) The court may order the department to:

27 (A) Place the child in a less restrictive placement;

28 (B) Place the child in a location in closer proximity to the  
29 child's parent, home, or school;

30 (C) Place the child with the child's sibling or siblings;

31 (D) Take any other necessary steps to ensure the child's health,  
32 safety, and well-being;

33 (iii) The court shall advise the petitioner that:

34 (A) Failure to comply with court orders while a child is in  
35 shelter care will be considered when determining whether reasonable  
36 efforts have been made by the department during a hearing under RCW  
37 13.34.110; and

38 (B) Placement moves while a child is in shelter care will be  
39 considered when determining whether reasonable efforts have been made  
40 by the department during a hearing under RCW 13.34.110.

1 (6) (a) A shelter care order issued pursuant to this section shall  
2 include the requirement for a case conference as provided in RCW  
3 13.34.067. However, if the parent is not present at the shelter care  
4 hearing, or does not agree to the case conference, the court shall  
5 not include the requirement for the case conference in the shelter  
6 care order.

7 (b) If the court orders a case conference, the shelter care order  
8 shall include notice to all parties and establish the date, time, and  
9 location of the case conference which shall be no later than 30 days  
10 before the fact-finding hearing.

11 (c) The court may order another conference, case staffing, or  
12 hearing as an alternative to the case conference required under RCW  
13 13.34.067 so long as the conference, case staffing, or hearing  
14 ordered by the court meets all requirements under RCW 13.34.067,  
15 including the requirement of a written agreement specifying the  
16 services to be provided to the parent.

17 (7) (a) (i) A shelter care order issued pursuant to this section  
18 may be amended at any time with notice and hearing thereon. The  
19 shelter care decision of placement shall be modified only upon a  
20 showing of change in circumstances. No child may be placed in shelter  
21 care for longer than thirty days without an order, signed by the  
22 judge, authorizing continued shelter care.

23 (ii) If the court previously ordered that visitation between a  
24 parent and child be supervised or monitored, there shall be a  
25 presumption that such supervision or monitoring will no longer be  
26 necessary following a continued shelter care order under (a) (i) of  
27 this subsection. To overcome this presumption, a party must provide a  
28 report to the court including evidence establishing that removing  
29 visit supervision or monitoring would create a risk to the child's  
30 safety, and the court shall make a determination as to whether visit  
31 supervision or monitoring must continue.

32 (b) (i) An order releasing the child on any conditions specified  
33 in this section may at any time be amended, with notice and hearing  
34 thereon, so as to return the child to shelter care for failure of the  
35 parties to conform to the conditions originally imposed.

36 (ii) The court shall consider whether nonconformance with any  
37 conditions resulted from circumstances beyond the control of the  
38 parent, guardian, or legal custodian and give weight to that fact  
39 before ordering return of the child to shelter care.



1 (8) The department and its employees shall not be held liable in  
2 any civil action for complying with an order issued under this  
3 section for placement: With a parent who has agreed to accept  
4 services, a relative, or a suitable person.

5 (9)(a) If a child is placed out of the home of a parent,  
6 guardian, or legal custodian following a shelter care hearing, the  
7 court shall order the petitioner to provide regular visitation with  
8 the parent, guardian, or legal custodian, and siblings. Early,  
9 consistent, and frequent visitation is crucial for maintaining  
10 parent-child relationships and allowing family reunification. The  
11 court shall order a visitation plan individualized to the needs of  
12 the family with a goal of providing the maximum parent, child, and  
13 sibling contact possible.

14 (b) Visitation under this subsection shall not be limited as a  
15 sanction for a parent's failure to comply with recommended services  
16 during shelter care.

17 (c) Visitation under this subsection may only be limited where  
18 necessary to ensure the health, safety, or welfare of the child.

19 (d) The first visit must take place within 72 hours of the child  
20 being delivered into the custody of the department, unless the court  
21 finds that extraordinary circumstances require delay.

22 (e) If the first visit under (d) of this subsection occurs in an  
23 in-person format, this first visit must be supervised unless the  
24 department determines that visit supervision is not necessary.

25 **Sec. 104.** RCW 13.34.130 and 2019 c 172 s 12 are each amended to  
26 read as follows:

27 If, after a fact-finding hearing pursuant to RCW 13.34.110, it  
28 has been proven by a preponderance of the evidence that the child is  
29 dependent within the meaning of RCW 13.34.030 after consideration of  
30 the social study prepared pursuant to RCW 13.34.110 and after a  
31 disposition hearing has been held pursuant to RCW 13.34.110, the  
32 court shall enter an order of disposition pursuant to this section.

33 (1) The court shall order one of the following dispositions of  
34 the case:

35 (a) Order a disposition that maintains the child in his or her  
36 home, which shall provide a program designed to alleviate the  
37 immediate danger to the child, to mitigate or cure any damage the  
38 child has already suffered, and to aid the parents so that the child  
39 will not be endangered in the future. In determining the disposition,

1 the court should choose services to assist the parents in maintaining  
2 the child in the home, including housing assistance, if appropriate,  
3 that least interfere with family autonomy and are adequate to protect  
4 the child.

5 (b) (i) Order the child to be removed from his or her home and  
6 into the custody, control, and care of a relative or other suitable  
7 person, the department, or agency responsible for supervision of the  
8 child's placement. If the court orders that the child be placed with  
9 a caregiver over the objections of the parent or the department, the  
10 court shall articulate, on the record, his or her reasons for  
11 ordering the placement. The court may not order an Indian child, as  
12 defined in RCW 13.38.040, to be removed from his or her home unless  
13 the court finds, by clear and convincing evidence including testimony  
14 of qualified expert witnesses, that the continued custody of the  
15 child by the parent or Indian custodian is likely to result in  
16 serious emotional or physical damage to the child.

17 (ii) The department has the authority to place the child, subject  
18 to review and approval by the court (A) with a relative as defined in  
19 RCW 74.15.020(2)(a), (B) in the home of another suitable person if  
20 the child or family has a preexisting relationship with that person,  
21 and the person has completed all required criminal history background  
22 checks and otherwise appears to the department to be suitable and  
23 competent to provide care for the child, or (C) in a foster family  
24 home or group care facility licensed pursuant to chapter 74.15 RCW.

25 (iii) The department may also consider placing the child, subject  
26 to review and approval by the court, with a person with whom the  
27 child's sibling or half-sibling is residing or a person who has  
28 adopted the sibling or half-sibling of the child being placed as long  
29 as the person has completed all required criminal history background  
30 checks and otherwise appears to the department to be competent to  
31 provide care for the child.

32 (2) Absent good cause, the department shall follow the wishes of  
33 the natural parent regarding the placement of the child in accordance  
34 with RCW 13.34.260.

35 (3) The department may only place a child with a person not  
36 related to the child as defined in RCW 74.15.020(2)(a), including a  
37 placement provided for in subsection (1)(b)(iii) of this section,  
38 when the court finds that such placement is in the best interest of  
39 the child. Unless there is reasonable cause to believe that the  
40 health, safety, or welfare of the child would be jeopardized or that

1 efforts to reunite the parent and child will be hindered, the child  
2 shall be placed with a person who is willing, appropriate, and  
3 available to care for the child, and who is: (I) Related to the child  
4 as defined in RCW 74.15.020(2)(a) with whom the child has a  
5 relationship and is comfortable; or (II) a suitable person as  
6 described in subsection (1)(b) of this section. The court shall  
7 consider the child's existing relationships and attachments when  
8 determining placement.

9 (4) If the child is placed in a qualified residential treatment  
10 program as defined in this chapter, the court shall, within sixty  
11 days of placement, hold a hearing to:

12 ~~((i)---[(a)])~~ (a) Consider the assessment required under RCW  
13 13.34.420 and submitted as part of the department's social study, and  
14 any related documentation;

15 ~~((ii)---[(b)])~~ (b) Determine whether placement in foster care can  
16 meet the child's needs or if placement in another available placement  
17 setting best meets the child's needs in the least restrictive  
18 environment; and

19 ~~((iii)---[(e)])~~ (c) Approve or disapprove the child's placement  
20 in the qualified residential treatment program.

21 (5) When placing an Indian child in out-of-home care, the  
22 department shall follow the placement preference characteristics in  
23 RCW 13.38.180.

24 (6) Placement of the child with a relative or other suitable  
25 person as described in subsection (1)(b) of this section shall be  
26 given preference by the court. An order for out-of-home placement may  
27 be made only if the court finds that reasonable efforts have been  
28 made to prevent or eliminate the need for removal of the child from  
29 the child's home and to make it possible for the child to return  
30 home, specifying the services, including housing assistance, that  
31 have been provided to the child and the child's parent, guardian, or  
32 legal custodian, and that prevention services have been offered or  
33 provided and have failed to prevent the need for out-of-home  
34 placement, unless the health, safety, and welfare of the child cannot  
35 be protected adequately in the home, and that:

36 (a) There is no parent or guardian available to care for such  
37 child;

38 (b) The parent, guardian, or legal custodian is not willing to  
39 take custody of the child; or

1 (c) The court finds, by clear, cogent, and convincing evidence, a  
2 manifest danger exists that the child will suffer serious abuse or  
3 neglect if the child is not removed from the home and an order under  
4 RCW 26.44.063 would not protect the child from danger. The court  
5 shall give great weight to the lethality of high-potency synthetic  
6 opioids and public health guidance related to high-potency synthetic  
7 opioids when applying the requirements of this subsection.

8 (7) If the court has ordered a child removed from his or her home  
9 pursuant to subsection (1)(b) of this section, the court shall  
10 consider whether it is in a child's best interest to be placed with,  
11 have contact with, or have visits with siblings.

12 (a) There shall be a presumption that such placement, contact, or  
13 visits are in the best interests of the child provided that:

14 (i) The court has jurisdiction over all siblings subject to the  
15 order of placement, contact, or visitation pursuant to petitions  
16 filed under this chapter or the parents of a child for whom there is  
17 no jurisdiction are willing to agree; and

18 (ii) There is no reasonable cause to believe that the health,  
19 safety, or welfare of any child subject to the order of placement,  
20 contact, or visitation would be jeopardized or that efforts to  
21 reunite the parent and child would be hindered by such placement,  
22 contact, or visitation. In no event shall parental visitation time be  
23 reduced in order to provide sibling visitation.

24 (b) The court may also order placement, contact, or visitation of  
25 a child with a stepbrother or stepsister provided that in addition to  
26 the factors in (a) of this subsection, the child has a relationship  
27 and is comfortable with the stepsibling.

28 (8) If the court has ordered a child removed from his or her home  
29 pursuant to subsection (1)(b) of this section and placed into  
30 nonparental or nonrelative care, the court shall order a placement  
31 that allows the child to remain in the same school he or she attended  
32 prior to the initiation of the dependency proceeding when such a  
33 placement is practical and in the child's best interest.

34 (9) If the court has ordered a child removed from his or her home  
35 pursuant to subsection (1)(b) of this section, the court may order  
36 that a petition seeking termination of the parent and child  
37 relationship be filed if the requirements of RCW 13.34.132 are met.

38 (10) If there is insufficient information at the time of the  
39 disposition hearing upon which to base a determination regarding the  
40 suitability of a proposed placement with a relative or other suitable

1 person, the child shall remain in foster care and the court shall  
2 direct the department to conduct necessary background investigations  
3 as provided in chapter 74.15 RCW and report the results of such  
4 investigation to the court within thirty days. However, if such  
5 relative or other person appears otherwise suitable and competent to  
6 provide care and treatment, the criminal history background check  
7 need not be completed before placement, but as soon as possible after  
8 placement. Any placements with relatives or other suitable persons,  
9 pursuant to this section, shall be contingent upon cooperation by the  
10 relative or other suitable person with the agency case plan and  
11 compliance with court orders related to the care and supervision of  
12 the child including, but not limited to, court orders regarding  
13 parent-child contacts, sibling contacts, and any other conditions  
14 imposed by the court. Noncompliance with the case plan or court order  
15 shall be grounds for removal of the child from the relative's or  
16 other suitable person's home, subject to review by the court.

17 **Sec. 105.** RCW 26.44.050 and 2021 c 211 s 5 are each amended to  
18 read as follows:

19 (1) Except as provided in RCW 26.44.030(12), upon the receipt of  
20 a report alleging that abuse or neglect has occurred, the law  
21 enforcement agency or the department must investigate and provide the  
22 protective services section with a report in accordance with chapter  
23 74.13 RCW, and where necessary to refer such report to the court.

24 (2) A law enforcement officer may take, or cause to be taken, a  
25 child into custody without a court order if there is probable cause  
26 to believe that taking the child into custody is necessary to prevent  
27 imminent physical harm to the child due to child abuse or neglect,  
28 including that which results from sexual abuse, sexual exploitation,  
29 a high-potency synthetic opioid, or a pattern of severe neglect, and  
30 the child would be seriously injured or could not be taken into  
31 custody if it were necessary to first obtain a court order pursuant  
32 to RCW 13.34.050. The law enforcement agency or the department  
33 investigating such a report is hereby authorized to photograph such a  
34 child for the purpose of providing documentary evidence of the  
35 physical condition of the child.

36 **Sec. 106.** RCW 26.44.056 and 2021 c 211 s 4 are each amended to  
37 read as follows:

1 (1) An administrator of a hospital or similar institution or any  
2 physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may  
3 detain a child without consent of a person legally responsible for  
4 the child whether or not medical treatment is required, if there is  
5 probable cause to believe that detaining the child is necessary to  
6 prevent imminent physical harm to the child due to child abuse or  
7 neglect, including that which results from sexual abuse, sexual  
8 exploitation, a high-potency synthetic opioid, or a pattern of severe  
9 neglect, and the child would be seriously injured or could not be  
10 taken into custody if it were necessary to first obtain a court order  
11 under RCW 13.34.050: PROVIDED, That such administrator or physician  
12 shall notify or cause to be notified the appropriate law enforcement  
13 agency or child protective services pursuant to RCW 26.44.040. Such  
14 notification shall be made as soon as possible and in no case longer  
15 than ~~((seventy-two))~~ 72 hours. Such temporary protective custody by  
16 an administrator or doctor shall not be deemed an arrest. Child  
17 protective services may detain the child until the court assumes  
18 custody, but in no case longer than ~~((seventy-two))~~ 72 hours,  
19 excluding Saturdays, Sundays, and holidays.

20 (2) A child protective services employee, an administrator,  
21 doctor, or law enforcement officer shall not be held liable in any  
22 civil action for the decision for taking the child into custody, if  
23 done in good faith under this section.

24 NEW SECTION. Sec. 107. A new section is added to chapter 43.216  
25 RCW to read as follows:

26 (1) Subject to the availability of amounts appropriated for this  
27 specific purpose, at least one legal liaison position shall be  
28 established within the department in each of its regions to work with  
29 both the department and the office of the attorney general for the  
30 purpose of assisting with the preparation of child abuse and neglect  
31 court cases.

32 (2) (a) The workload of the legal liaisons shall be geographically  
33 divided to reflect where the highest risk and most vulnerable child  
34 abuse and neglect cases are filed.

35 (b) For the purpose of this subsection, "highest risk" and "most  
36 vulnerable" are determined by the age of the child and whether the  
37 child is particularly vulnerable given the child's medical or  
38 developmental conditions.

1 (3) The department may determine the necessary qualifications for  
2 the legal liaison positions established in this section.

3 **Sec. 108.** RCW 2.56.230 and 2008 c 279 s 2 are each amended to  
4 read as follows:

5 (1) A superior court may apply for grants from the family and  
6 juvenile court improvement grant program by submitting a local  
7 improvement plan with the administrator for the courts. To be  
8 eligible for grant funds, a superior court's local improvement plan  
9 must meet the criteria developed by the administrator for the courts  
10 and approved by the board for judicial administration. The criteria  
11 must be consistent with the principles adopted for unified family  
12 courts. At a minimum, the criteria must require that the court's  
13 local improvement plan meet the following requirements:

14 (a) Commit to a chief judge assignment to the family and juvenile  
15 court for a minimum of two years;

16 (b) Implementation of the principle of one judicial team hearing  
17 all of the proceedings in a case involving one family, especially in  
18 dependency cases;

19 (c) Require court commissioners and judges assigned to family and  
20 juvenile court to receive a minimum of thirty hours specialized  
21 training in topics related to family and juvenile matters within six  
22 months of assuming duties in family and juvenile court. Where  
23 possible, courts should utilize local, statewide, and national  
24 training forums. A judicial officer's recorded educational history  
25 may be applied toward the thirty-hour requirement. The topics for  
26 training must include:

27 (i) Parentage;

28 (ii) Adoption;

29 (iii) Domestic relations;

30 (iv) Dependency and termination of parental rights;

31 (v) Child development;

32 (vi) The impact of child abuse and neglect;

33 (vii) Domestic violence;

34 (viii) Substance abuse;

35 (ix) Mental health;

36 (x) Juvenile status offenses;

37 (xi) Juvenile offenders;

38 (xii) Self-representation issues;

39 (xiii) Cultural competency;

1 (xiv) Roles of family and juvenile court judges and  
2 commissioners;

3 (xv) The risk and danger presented to children and youth by  
4 high-potency synthetic opioids;

5 (xvi) Policies and procedures of the department of children,  
6 youth, and families regarding safety and service planning including  
7 the differences between safety plans and service plans; and

8 (xvii) The legal standards for removal of a child based on abuse  
9 or neglect; and

10 (d) As part of the application for grant funds, submit a spending  
11 proposal detailing how the superior court would use the grant funds.

12 (2) Courts receiving grant money must use the funds to improve  
13 and support family and juvenile court operations based on standards  
14 developed by the administrator for the courts and approved by the  
15 board for judicial administration. The standards may allow courts to  
16 use the funds to:

17 (a) Pay for family and juvenile court training of commissioners  
18 and judges or pay for pro tem commissioners and judges to assist the  
19 court while the commissioners and judges receive training;

20 (b) Pay for the training of other professionals involved in child  
21 welfare court proceedings including, but not limited to, attorneys  
22 and guardians ad litem;

23 (c) Increase judicial and nonjudicial staff, including  
24 administrative staff to improve case coordination and referrals in  
25 family and juvenile cases, guardian ad litem volunteers or  
26 court-appointed special advocates, security, and other staff;

27 ~~((e))~~ (d) Improve the court facility to better meet the needs  
28 of children and families;

29 ~~((d))~~ (e) Improve referral and treatment options for court  
30 participants, including enhancing court facilitator programs and  
31 family treatment court and increasing the availability of alternative  
32 dispute resolution;

33 ~~((e))~~ (f) Enhance existing family and children support services  
34 funded by the courts and expand access to social service programs for  
35 families and children ordered by the court; and

36 ~~((f))~~ (g) Improve or support family and juvenile court  
37 operations in any other way deemed appropriate by the administrator  
38 for the courts.



1 (3) The administrator for the courts shall allocate available  
2 grant moneys based upon the needs of the court as expressed in their  
3 local improvement plan.

4 (4) Money received by the superior court under this program must  
5 be used to supplement, not supplant, any other local, state, and  
6 federal funds for the court.

7 (5) Upon receipt of grant funds, the superior court shall submit  
8 to the administrator for the courts a spending plan detailing the use  
9 of funds. At the end of the fiscal year, the superior court shall  
10 submit to the administrator for the courts a financial report  
11 comparing the spending plan to actual expenditures. The administrator  
12 for the courts shall compile the financial reports and submit them to  
13 the appropriate committees of the legislature.

14 NEW SECTION. **Sec. 109.** (1) The administrator for the courts  
15 shall provide funding to a statewide organization focused on  
16 advocating for the best interest of children experiencing abuse and  
17 neglect to develop and provide training regarding:

18 (a) The risk and danger presented to children and youth by high-  
19 potency synthetic opioids; and

20 (b) The legal standards for removal of a child based on abuse or  
21 neglect.

22 (2) The training developed and provided under this section must  
23 be developed for and available to child welfare court professionals  
24 including, but not limited to:

25 (a) Department of children, youth, and families employees  
26 supporting or providing child welfare services as defined in RCW  
27 74.13.020 or child protective services as defined in RCW 26.44.020;

28 (b) Attorneys;

29 (c) Judicial officers; and

30 (d) Guardians ad litem.

31 (3) The training developed and provided under this section must  
32 be developed and provided in a manner that allows and encourages a  
33 variety of child welfare court professionals to participate in the  
34 training. When possible, the training developed under this section  
35 must allow as many child welfare court professionals from a specific  
36 county to attend at the same time to allow those professionals to  
37 develop their working relationships.

38 (4) This section expires July 1, 2025.

**PART II**  
**SERVICES FOR FAMILIES**

1  
2  
3       NEW SECTION.   **Sec. 201.**   A new section is added to chapter 43.216  
4 RCW to read as follows:

5       Subject to the availability of amounts appropriated for this  
6 specific purpose, the department shall establish a pilot program for  
7 contracted child care slots for infants in child protective services  
8 in locales with the historically highest rates of child welfare  
9 screened-in intake due to the exposure or presence of high-potency  
10 synthetic opioids in the home, which may be used as part of a safety  
11 plan.

12       NEW SECTION.   **Sec. 202.**   A new section is added to chapter 43.216  
13 RCW to read as follows:

14       (1) Home visiting established by RCW 43.216.130 has been shown to  
15 enhance child development and well-being by reducing the incidence of  
16 child abuse and neglect, promoting connection to community-based  
17 supports, and increasing school readiness for young children and  
18 their families.

19       (2) Subject to the availability of amounts appropriated for this  
20 specific purpose, the department shall enter into targeted contracts  
21 with existing home visiting programs established by RCW 43.216.130 in  
22 locales with the historically highest rates of child welfare  
23 screened-in intake to serve families.

24       (3) Targeted contracted home visiting slots for families  
25 experiencing high-potency synthetic opioid-related substance use  
26 disorder promotes expedited access to supports that enhance  
27 strengthened parenting skills and allows home visiting providers to  
28 have predictable funding. Any targeted contracted slots the  
29 department creates under this section must meet the requirements as  
30 provided for in this act.

31       (4) Only existing home visiting providers are eligible to be  
32 awarded targeted contracted slots. The targeted contracted slots are  
33 reserved for programs in locales with the historically highest rates  
34 of child welfare screened-in intakes.

35       (5) The department shall provide training specific to substance  
36 use disorders for the home visiting providers selected for this  
37 program.

1 (6) Families referred to home visiting services via the process  
2 established in subsection (8) of this section must be contacted by  
3 the contracted program within seven days of referral.

4 (7) The department shall award the contracted slots via a  
5 competitive process. The department shall pay providers for each  
6 targeted contracted slot using the rate provided to existing home  
7 visiting providers.

8 (8) Eligible families shall be referred to the targeted  
9 contracted slots through a referral process developed by the  
10 department. The referral process shall include referrals from the  
11 department's child welfare staff as well as community organizations  
12 working with families meeting the criteria established in subsection  
13 (9) of this section.

14 (9) Priority for targeted contracted home visiting slots shall be  
15 given to:

- 16 (a) Families with child protective services open cases;
- 17 (b) Families with family assessment response open cases; and
- 18 (c) Families with family voluntary services open cases.

19 NEW SECTION. **Sec. 203.** A new section is added to chapter 74.14B  
20 RCW to read as follows:

21 Subject to the availability of amounts appropriated for this  
22 specific purpose, the department shall implement and maintain a  
23 program that provides support to child welfare workers from public  
24 health nurses. The support provided by public health nurses under  
25 this section must include supporting child welfare workers in:

- 26 (1) Engaging and communicating with families about the risks of  
27 high-potency synthetic opioids and child health and safety practices;  
28 and
- 29 (2) Determining the level of risk presented to a child or  
30 children in specific cases.

31 NEW SECTION. **Sec. 204.** A new section is added to chapter 41.05  
32 RCW to read as follows:

33 (1) Subject to the availability of amounts appropriated for this  
34 specific purpose, the authority shall establish a substance use  
35 disorder inpatient program that specializes in treating pregnant and  
36 parenting women using a family preservation model.

37 (2) The authority shall contract for the services authorized in  
38 this section with behavioral health entities in a manner that allows

1 leveraging of federal medicaid funds to pay for a portion of the  
2 costs. Funding provided under this section may be used for documented  
3 start-up costs including the recruitment, hiring, and training of  
4 staff.

5 (3) The authority shall consult with the department of children,  
6 youth, and families in the implementation of the program and services  
7 authorized under this section.

8 (4) Entities contracted to provide services authorized in  
9 subsection (1) of this section must allow families to reside together  
10 while a parent is receiving treatment.

11 NEW SECTION. **Sec. 205.** A new section is added to chapter 41.05  
12 RCW to read as follows:

13 (1) Subject to the availability of amounts appropriated for this  
14 specific purpose, the authority shall expand specific treatment and  
15 services to children and youth with prenatal substance exposure who  
16 would benefit from evidence-based services impacting their behavioral  
17 and physical health.

18 (2) The authority shall contract for the services authorized in  
19 this section with behavioral health entities in a manner that allows  
20 leveraging of federal medicaid funds to pay for a portion of the  
21 costs.

22 (3) The authority shall consult with the department of children,  
23 youth, and families in the implementation of the program and services  
24 authorized under this section.

25 NEW SECTION. **Sec. 206.** A new section is added to chapter 74.13  
26 RCW to read as follows:

27 Subject to the availability of amounts appropriated for this  
28 specific purpose, the department shall establish a pilot program to  
29 include third-party safety plan participants and public health nurses  
30 in child protective services safety planning. The pilot program  
31 established in this section must:

32 (1) Include contracts in up to four department offices for third-  
33 party safety plan participants and public health nurses to support  
34 child protective services workers in safety planning; and

35 (2) Provide support, including in a family's primary spoken  
36 language, for cases involving high-potency synthetic opioids in  
37 families who do not have natural supports to aid in safety planning.

1        NEW SECTION.    **Sec. 207.**    (1) The department of children, youth,  
2 and families shall provide funding and support for two pilot programs  
3 to implement an evidence-based, comprehensive, intensive, in-home  
4 parenting services support model to serve children and families from  
5 birth to age 18 who are involved in child welfare, children's mental  
6 health, or juvenile justice systems.

7        (2) The pilot programs established in this section are intended  
8 to prevent or limit out-of-home placement through trauma-informed  
9 support to the child, caregivers, and families with three in-person,  
10 in-home sessions per week and provide on-call crisis support 24 hours  
11 a day, seven days a week.

12        (3) One pilot program established in this section will serve  
13 families west of the crest of the Cascade mountain range and one  
14 pilot program established in this section will serve families east of  
15 the crest of the Cascade mountain range. Each pilot program will  
16 build upon existing programs to avoid duplication of existing  
17 services available to children and families at risk of entering the  
18 child welfare system.

19        (4) This section expires July 1, 2026.

20        NEW SECTION.    **Sec. 208.**    (1) Subject to the availability of funds  
21 for this specific purpose, the department of health shall provide  
22 funding to support promotoras in at least two communities. These  
23 promotoras shall provide culturally sensitive, lay health education  
24 for the Latinx community, and act as liaisons between their  
25 community, health professionals, and human and social service  
26 organizations.

27        (2) In determining which communities will be served by the  
28 promotoras under this section, the department of health shall provide  
29 funding to support one community west of the crest of the Cascade  
30 mountain range and one community east of the crest of the Cascade  
31 mountain range.

32        NEW SECTION.    **Sec. 209.**    A new section is added to chapter 74.13  
33 RCW to read as follows:

34        The department shall make available to department staff high-  
35 potency synthetic opioid testing strips that can detect the presence  
36 of high-potency synthetic opioids that may be used when investigating  
37 alleged child abuse and neglect referrals and otherwise as  
38 appropriate.

1        NEW SECTION.    **Sec. 210.**    A new section is added to chapter 41.05  
2    RCW to read as follows:

3        (1) Subject to the availability of amounts appropriated for this  
4    specific purpose, the authority shall provide funding to support new  
5    or expand existing programs that provide peer services for  
6    individuals receiving child welfare services as defined in RCW  
7    74.13.020 or child protective services as defined in RCW 26.44.020  
8    who also have a substance use disorder.

9        (2) The peer services described in this section must:

10        (a) Include case management; and

11        (b) Be delivered by peers with lived experience of recovery from  
12    substance use disorders and child welfare system involvement.

13        NEW SECTION.    **Sec. 211.**    If specific funding for the purposes of  
14    this act, referencing this act by bill or chapter number, is not  
15    provided by June 30, 2024, in the omnibus appropriations act, this  
16    act is null and void.

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