
SENATE BILL 5032

State of Washington

69th Legislature

2025 Regular Session

By Senator C. Wilson

Prefiled 12/10/24.

1 AN ACT Relating to expanding the duties of the office of the
2 family and children's ombuds to include juvenile rehabilitation
3 facilities operated by the department of children, youth, and
4 families; and amending RCW 43.06A.010, 43.06A.030, and 43.06A.100.

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

6 **Sec. 1.** RCW 43.06A.010 and 2013 c 23 s 71 are each amended to
7 read as follows:

8 There is hereby created an office of the family and children's
9 ombuds within the office of the governor for the purpose of promoting
10 public awareness and understanding of family, youth, and children
11 services provided by the department of children, youth, and families,
12 identifying system issues and responses for the governor and the
13 legislature to act upon, and monitoring and ensuring compliance with
14 administrative acts, relevant statutes, rules, and policies
15 pertaining to family, youth, and children's services and the
16 placement, supervision, and treatment of children, youth, and
17 individuals in the state's care or in state-licensed facilities or
18 residences and juvenile rehabilitation facilities. The ombuds shall
19 report directly to the governor and shall exercise (~~his or her~~) the
20 ombuds' powers and duties independently of the secretary.

1 **Sec. 2.** RCW 43.06A.030 and 2018 c 58 s 77 are each amended to
2 read as follows:

3 (1) The ombuds shall perform the following duties:

4 ~~((1))~~ (a) Provide information as appropriate on the rights and
5 responsibilities of individuals receiving services from the
6 department of children, youth, and families, including family, youth,
7 and children's services, juvenile justice, juvenile rehabilitation,
8 and child early learning, and on the procedures for providing these
9 services;

10 ~~((2))~~ (b) Investigate, upon ~~((his or her))~~ the ombud's own
11 initiative or upon receipt of a complaint, an administrative act by
12 the department of children, youth, and families alleged to be
13 contrary to law, rule, or policy, imposed without an adequate
14 statement of reason, or based on irrelevant, immaterial, or erroneous
15 grounds; however, the ombuds may decline to investigate any complaint
16 as provided by rules adopted under this chapter;

17 ~~((3))~~ (c) Monitor the procedures as established, implemented,
18 and practiced by the department of children, youth, and families to
19 carry out its responsibilities in delivering family, youth, and
20 children's services and juvenile rehabilitation services, with a view
21 toward appropriate preservation of families and ensuring
22 ~~((children's))~~ health and safety;

23 ~~((4))~~ (d) Review periodically the facilities and procedures of
24 state institutions including juvenile rehabilitation facilities
25 serving children, youth, individuals, and families, and state-
26 licensed facilities or residences;

27 ~~((5))~~ (e) Recommend changes in the procedures for addressing
28 the needs of children, youth, individuals, and families, who receive
29 care or services from the department of children, youth, and
30 families;

31 ~~((6))~~ (f) Submit annually to the oversight board for children,
32 youth, and families created in RCW 43.216.015 and to the governor by
33 November 1st a report analyzing the work of the department of
34 children, youth, and families, including recommendations;

35 ~~((7))~~ (g) Grant the oversight board for children, youth, and
36 families access to all relevant records in the possession of the
37 ombuds unless prohibited by law; and

38 ~~((8))~~ (h) Adopt rules necessary to implement this chapter.

39 (2) For the purposes of this section, "child, youth, or
40 individual" includes any person in the state's care or in state-

1 licensed facilities or residences and juvenile rehabilitation
2 facilities who is receiving services from the department of children,
3 youth, and families.

4 **Sec. 3.** RCW 43.06A.100 and 2017 3rd sp.s. c 6 s 810 are each
5 amended to read as follows:

6 (1) The department of children, youth, and families shall:

7 (a) Allow the ombuds or the ombuds's designee to communicate
8 privately with any child or person in the custody of the department
9 of children, youth, and families, or any child or person who is part
10 of a near fatality investigation by the department of children,
11 youth, and families, for the purposes of carrying out its duties
12 under this chapter;

13 (b) Permit the ombuds or the ombuds designee physical access to
14 state institutions serving children, youth, and families, including
15 juvenile rehabilitation facilities and state licensed facilities or
16 residences, for the purpose of carrying out its duties under this
17 chapter;

18 (c) Upon the ombuds's request, grant the ombuds or the ombuds's
19 designee the right to access, inspect, and copy all relevant
20 information, records, or documents in the possession or control of
21 the department of children, youth, and families that the ombuds
22 considers necessary in an investigation; and

23 (d) Grant the office of the family and children's ombuds
24 unrestricted online access to the child welfare case management
25 information system, the juvenile rehabilitation case management
26 system, and the department of children, youth, and families data
27 information system for the purpose of carrying out its duties under
28 this chapter.

29 (2) For the purposes of this section(~~(, "near)~~):

30 (a) "Near fatality" means an act that, as certified by a
31 physician, places the child or person in serious or critical
32 condition.

33 (b) "Child, youth, or individual" includes any person in the
34 state's care or in state-licensed facilities or residences and
35 juvenile rehabilitation facilities who is receiving services from the
36 department of children, youth, and families.

37 (3) Nothing in this section creates a duty for the office of the
38 family and children's ombuds under RCW 43.06A.030 as related to
39 children in the care of an early learning program described in RCW

1 43.216.500 through 43.216.550, a licensed child care center, or a
2 licensed child care home.

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