
SENATE BILL 5683

State of Washington

68th Legislature

2023 Regular Session

By Senator Kauffman

1 AN ACT Relating to child-specific foster care licenses for
2 placement of an Indian child in the custody of a federally recognized
3 tribe or the tribe's child placing agency; and amending RCW
4 74.15.125.

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

6 **Sec. 1.** RCW 74.15.125 and 2021 c 304 s 30 are each amended to
7 read as follows:

8 (1) The department may issue a probationary license to a licensee
9 who has had a license but is temporarily unable to comply with a rule
10 or has been the subject of multiple complaints or concerns about
11 noncompliance if:

12 (a) The noncompliance does not present an immediate threat to the
13 health and well-being of the children but would be likely to do so if
14 allowed to continue; and

15 (b) The licensee has a plan approved by the department to correct
16 the area of noncompliance within the probationary period.

17 (2) A probationary license may be issued for up to six months,
18 and at the discretion of the department it may be extended for an
19 additional six months. The department shall immediately terminate the
20 probationary license, if at any time the noncompliance for which the

1 probationary license was issued presents an immediate threat to the
2 health or well-being of the children.

3 (3) The department may, at any time, issue a probationary license
4 for due cause that states the conditions of probation.

5 (4) An existing license is invalidated when a probationary
6 license is issued.

7 (5) At the expiration of the probationary license, the department
8 shall reinstate the original license for the remainder of its term,
9 issue a new license, or revoke the original license.

10 (6) A right to an adjudicative proceeding shall not accrue to the
11 licensee whose license has been placed on probationary status unless
12 the licensee does not agree with the placement on probationary status
13 and the department then suspends, revokes, or modifies the license.

14 (7)(a) The department may issue a child-specific license to
15 ((a)):

16 (i) A relative, as defined in RCW 13.36.020, or a suitable
17 person, as defined in RCW 13.36.020, who opts to become licensed for
18 placement of a specific child and that child's siblings or relatives
19 in the department's care, custody, and control; or

20 (ii) An Indian child's family or extended family member as
21 defined in RCW 13.38.040 who opts to become licensed for placement of
22 a specific Indian child and that child's siblings or relatives in the
23 custody of an Indian tribe as defined in RCW 43.376.010 or the
24 tribe's child placing agency.

25 (b) Such individuals must meet all minimum licensing requirements
26 for foster family homes established pursuant to RCW 74.15.030 and are
27 subject to child-specific license criteria, which the department is
28 authorized to establish by rule.

29 (c) For purposes of federal funding, a child-specific license is
30 considered a full license with all of the rights and responsibilities
31 of a foster family home license, except that at the discretion of the
32 department the licensee may only receive placement of specific
33 children pursuant to (a) of this subsection.

34 (d) A child-specific license does not confer upon the licensee a
35 right to placement of a particular child, nor does it confer party
36 status in any proceeding under chapter 13.34 RCW.

37 (e) The department shall seek input from the following
38 stakeholders during the development and adoption of rules necessary
39 to implement this section: Representatives from the kinship care
40 oversight committee, an organization that represents current and

1 former foster youth, an organization that represents child placing
2 agencies, and a statewide advisory group of foster youth and alumni
3 of foster care. The department shall seek tribal input as outlined in
4 the department's government-to-government policy, per RCW 43.376.020.

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