

Multiple Agency Fiscal Note Summary

Bill Number: 5515 S SB	Title: Child abuse and neglect
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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
Office of Administrative Hearings	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Children, Youth, and Families	0	0	70,000	0	0	68,000	0	0	68,000
Total \$	0	0	70,000	0	0	68,000	0	0	68,000

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
Office of Administrative Hearings	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Health	Fiscal note not available											
Department of Children, Youth, and Families	3.2	761,000	761,000	831,000	3.2	740,000	740,000	808,000	3.2	740,000	740,000	808,000
Department of Corrections	.0	0	0	0	.0	0	0	0	.0	0	0	0
Superintendent of Public Instruction	Fiscal note not available											
State School For The Blind	Fiscal note not available											
Washington State Center for Childhood Deafness and Hearing Loss	Fiscal note not available											
Total \$	3.2	761,000	761,000	831,000	3.2	740,000	740,000	808,000	3.2	740,000	740,000	808,000

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
Department of Health	Fiscal note not available								
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	Fiscal note not available								
State School For The Blind	Fiscal note not available								
Washington State Center for Childhood Deafness and Hearing Loss	Fiscal note not available								
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: Preliminary 2/21/2023
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Individual State Agency Fiscal Note

Bill Number: 5515 S SB	Title: Child abuse and neglect	Agency: 110-Office of Administrative Hearings
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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:

Non-zero but indeterminate cost 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: Josh Hinman	Phone: 3607867281	Date: 02/18/2023
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 02/21/2023
Agency Approval: Deborah Feinstein	Phone: 360-407-2717	Date: 02/21/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/21/2023

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.

In Section 2, the Department of Children, Youth, and Families (DCYF) will license the living accommodations provided by residential schools. DCYF shall adopt minimum health and safety rules.

Section 3 states DCYF must investigate referrals of alleged child abuse or neglect at schools for deaf and hard of hearing, substance use disorder treatment facilities, and behavioral health services by making findings of abuse or neglect and/or a referral to law enforcement, and must share records and information.

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 cash receipts.

As a central service agency, the Office of Administrative Hearings (OAH) bills referring agencies for its costs and collects the revenue into the Administrative Hearings Revolving Account. Cash receipts are assumed to equal costs. OAH will bill the Department of Children, Youth, and Families for the costs related to this proposed legislation.

These cash receipts represent the OAH's authority to bill and are not a direct appropriation to OAH. Appropriation authority is necessary in OAH's budget.

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.

Indeterminate expenditure impact. This request is indeterminate based on unknown data related to the number of facilities where children live and sleep within the definition of residential schools, and the number of children in these facilities.

The Office of Administrative Hearings (OAH) estimates that the proposed legislation will result in an indeterminate number of appeals being referred from the Department of Children, Youth, and Families (DCYF). On average, each appeal is expected to take approximately one to five days, and up to 24 hours to prepare an order. This work is line Administrative Law Judge (ALJ) time.

OAH Agency Workforce Assumptions:

- (1) The Governors proposed COLA increases in FY2024 and FY2025, and Collective Bargaining Agreement increases are not included in agency cost projections. Additional funding is required if these proposals are enacted.
- (2) Ratio of 1.0 FTE line ALJ to 0.15 Senior ALJ (SALJ), to 0.6 Legal Assistant 2 (LA2) (Range 40 step L), to 0.25 administrative support Management Analyst 5 (MA5) (Range 64 Step L).
- (3) ALJ salary is based on the ALJ collective bargaining agreement and assumed to be at step L. (Line ALJ-range 70. Senior ALJ-range 74.)
- (4) Benefit rates were analyzed by job class and projected using the latest benefit information available.
- (5) Goods and services, travel and on-going capital outlays were projected based on historical data for each of the job classifications.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost 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)

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: 5515 S SB	Title: Child abuse and neglect	Agency: 307-Department of Children, Youth, and Families
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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	36,000	34,000	70,000	68,000	68,000
Total \$	36,000	34,000	70,000	68,000	68,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.2	3.2	3.2	3.2	3.2
Account					
General Fund-State 001-1	391,000	370,000	761,000	740,000	740,000
General Fund-Federal 001-2	36,000	34,000	70,000	68,000	68,000
Total \$	427,000	404,000	831,000	808,000	808,000

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: Josh Hinman	Phone: 3607867281	Date: 02/18/2023
Agency Preparation: Kevin Keogh	Phone: 360-628-2652	Date: 02/21/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 02/21/2023
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 02/21/2023

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 5515 SSB to 5515 SB:

The term, "residential schools" is changed to "residential private schools". This distinguishes these facilities from Juvenile Rehabilitation facilities which are also defined as residential schools.

Section 2 adds an exemption from the licensing requirement for residential private schools if the school is accredited by an accrediting body approved by WSBE and the accreditation includes examination comparable criteria listed in subsection 2 of this section (minimum health and safety rules). This section also adds that DCYF must engage in negotiated rulemaking with WSBE and other affected interests to adopt minimum safety standards.

Section 6 removed the requirement that the state board of education coordinate with DCYF to submit the progress report on the licensing of residential private schools to the legislature.

Section 2 requires the Department of Children Youth and Families (DCYF) to license living accommodations for residential private schools. This section also requires the department to engage in rule making with the board of education to establish the health and safety standards for residential private schools.

Section 3 requires DCYF to investigate alleged child abuse at WA Center for Deaf and Hard of Hearing, substance use disorder treatment facilities, behavioral health services, and residential private schools.

Section 6 requires DCYF to submit a report on the licensing of residential private schools to the legislature by July 1, 2025, and final report by 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.

Child care staff performing Child Protective Service (CPS) investigations are partially funded by the Title IV-E federal grant. Additionally, the Title IV-E federal reimbursement rate is 13% for administrative support, this is applied to all FTE costs. Estimated federal revenue is as follows:

FY24: \$36,000

FY25: \$34,000

FY26: \$34,000

FY27: \$34,000

FY28: \$34,000

FY29: \$34,000

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. Distinguished between one time and ongoing functions.

The total cost of the bill is estimated at \$831,000 (\$761,000 GFS) and 3.2 FTE in the 23-25 Biennium.

Section 2 Licensing residential private schools: The Department of Children, Youth and Families estimates \$516,000 (\$506,000 GFS) and 2.0 FTE in the 23-25 Biennium.

The Department estimates that it will take at least 2 years for 2.0 temporary Social and Health Program Consultants 2 (SHPC 2) FTEs to research the current state and characteristics of residential private schools and develop the rules, policy, and training for licensing these facilities. This will be more complex than group care facilities typically licensed and maintained by the licensing division of DCYF, because there is a separate educational component. DCYF will have to closely coordinate with the Washington State Board of Education (WSBE) to clearly identify roles and responsibilities regarding the residential vs. educational requirements for these facilities.

Once this new license has been established, it will increase the number of facilities to be licensed. There are currently 12 residential private schools registered with WSBE and DCYF estimates approximately 12 more unregistered Washington state residential private schools for a total of 24 facilities. DCYF believes that all of these facilities would have to be licensed, including those accredited by WSBE. There is an exemption to licensing for facilities that have an accreditation that covers student living accommodations, but there are no known accrediting bodies (including WSBE) that accredit the living accommodations at these schools. Current caseloads for licensing group care facilities are an average of 14 facilities per FTE. The Department estimates it would take 2.0 ongoing Social and Health Program Consultants 2s (SHPC 2) to maintain this new caseload.

Total costs including salaries, benefits, equipment, goods and services, travel, and admin support:

FY24: \$265,000
FY25: \$251,000
FY26: \$251,000
FY27: \$251,000
FY28: \$251,000
FY29: \$251,000

Section 3 Investigations child abuse in facilities: The Department of Children, Youth and Families estimates \$315,000 (\$255,000 GFS) and 0.5 FTE in the 23-25 Biennium.

Based on information from the Department of Health (DOH) there are 10 facilities that meet the criteria of being substance use disorder treatment facilities, behavioral health services, or the WA Center for Deaf and Hard of Hearing described in section 3 of the bill. 24 residential private school facilities are also impacted by section 3 of the bill. The bill requires that these facilities are subject to additional Child Protective Service (CPS) investigation.

In 2022, out of 150 group care facilities, there were 190 investigations, so about 1.3 investigations per group care facility. The 10 facilities identified by DOH are thought to be particularly complicated with many safety risks, as noted by DOH. For this reason, it is assumed that investigations at these facilities will be twice the normal workload. These DOH facilities are therefore thought to generate an equivalent workload to approximately 26 investigations per year (1.3 investigations per facility * 10 facilities * 2 times the workload). The investigations at the residential private schools are assumed to be much more standard and would represent a workload of 31 investigations per year (1.3 investigations per facility * 24 facilities). Each investigator handles about 48 LD CPS investigations per year, so the increased workload 57 investigations would be the equivalent of approximately 1.2 Social Service Specialist 3 (SSS3) FTEs.

Total costs including salaries, benefits, equipment, goods and services, travel, and admin support:

FY24: \$162,000
FY25: \$153,000
FY26: \$153,000
FY27: \$153,000
FY28: \$153,000
FY29: \$153,000

In addition to the costs above, the DCYF Board of Appeals predicts that based on the additional licensed facilities and additional CPS investigations there will be an increased in the number of facility licensing and CPS cases heard on appeal from the Office of Administrative Hearings. However, the fiscal impact to DCYF from these additional cases is uncertain due to a lack of data on the potential increase in the overall number of cases.

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	391,000	370,000	761,000	740,000	740,000
001-2	General Fund	Federal	36,000	34,000	70,000	68,000	68,000
Total \$			427,000	404,000	831,000	808,000	808,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.2	3.2	3.2	3.2	3.2
A-Salaries and Wages	242,000	242,000	484,000	484,000	484,000
B-Employee Benefits	87,000	87,000	174,000	174,000	174,000
C-Professional Service Contracts					
E-Goods and Other Services	6,000	6,000	12,000	12,000	12,000
G-Travel	8,000	8,000	16,000	16,000	16,000
J-Capital Outlays	23,000		23,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements	61,000	61,000	122,000	122,000	122,000
T-Intra-Agency Reimbursements					
9-					
Total \$	427,000	404,000	831,000	808,000	808,000

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
Soc & Health Prog Cons 2	75,121	2.0	2.0	2.0	2.0	2.0
Social Service Specialist 3	77,029	1.2	1.2	1.2	1.2	1.2
Total FTEs		3.2	3.2	3.2	3.2	3.2

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Children and Family Services (010)	139,000	130,000	269,000	260,000	260,000
Early Learning (030)	227,000	213,000	440,000	426,000	426,000
Program Support (090)	61,000	61,000	122,000	122,000	122,000
Total \$	427,000	404,000	831,000	808,000	808,000

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.

A new section will need to be added to WAC 110-145 to create rules for the licensing of residential private schools.

Individual State Agency Fiscal Note

Bill Number: 5515 S SB	Title: Child abuse and neglect	Agency: 310-Department of Corrections
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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: Josh Hinman	Phone: 3607867281	Date: 02/18/2023
Agency Preparation: Amanda Pierpoint	Phone: (360) 725-8428	Date: 02/21/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 02/21/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/21/2023

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.

Senate Bill 5515 states the following:

The purpose of this bill is to ensure that the health, safety, and well-being of children who are served in residential facilities and residential schools are protected against child abuse and neglect and have their basic health and safety needs met.

Section 3(3)(b) defines ‘residential school’ as not including state long-term juvenile institutions operated by the Department of Children, Youth, and Families (DCYF), county juvenile detention centers, or the Department of Corrections (DOC) facilities that incarcerate juveniles committed as adults.

Section 4(1)(i)(ii) defines ‘residential school’ as not including state long-term juvenile institutions operated by DCYF, county juvenile detention centers, or DOC facilities that incarcerate juveniles committed as adults.

Sections 2, 4, and 5 of this act take effect July 1, 2025.

Section 3 of this act takes effect January 1, 2024.

Substitute Senate Bill 5515 amends the following:

The purpose of this substitute bill is to protect children from abuse and neglect; amends RCW 26.44.210 and 74.15.020; adds a new section to chapter 74.15 RCW; adds a new section to chapter 71.24 RCW; creates new sections; and provides effective dates.

Sections 2 and 4 of this act take effect July 1, 2025.

Section 3 of this act takes effect January 1, 2024.

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.

None.

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.

We assume this bill will have no fiscal impact to (DOC).

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

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.