
SENATE BILL 5586

State of Washington

66th Legislature

2019 Regular Session

By Senators Darneille, Rivers, Hasegawa, Fortunato, Hunt, Wilson, C., Takko, Rolfes, Schoesler, Warnick, Honeyford, Walsh, Wilson, L., Zeiger, Sheldon, McCoy, and Lias

1 AN ACT Relating to requiring traumatic brain injury screenings
2 for children entering the foster care system; and amending RCW
3 74.14A.050.

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

5 **Sec. 1.** RCW 74.14A.050 and 2003 c 207 s 9 are each amended to
6 read as follows:

7 (1) The secretary shall:

8 ~~((1))~~ (a) Consult with relevant qualified professionals to
9 develop a set of minimum guidelines to be used for identifying all
10 children who are in a state-assisted support system, whether at-home
11 or out-of-home, who are likely to need long-term care or assistance,
12 because they face physical, emotional, medical, mental, or other
13 long-term challenges(~~(~~

14 ~~b))~~). The guidelines must, at a minimum, consider the following
15 criteria for identifying children in need of long-term care or
16 assistance:

17 (i) Placement within the foster care system for two years or
18 more;

19 (ii) Multiple foster care placements;

20 (iii) Repeated unsuccessful efforts to be placed with a permanent
21 adoptive family;

1 (iv) Chronic behavioral or educational problems;
2 (v) Repetitive criminal acts or offenses;
3 (vi) Failure to comply with court-ordered disciplinary actions
4 and other imposed guidelines of behavior, including drug and alcohol
5 rehabilitation; and

6 (vii) Chronic physical, emotional, medical, mental, or other
7 similar conditions necessitating long-term care or assistance;

8 ~~((2))~~ (b) Develop programs that are necessary for the long-term
9 care of children and youth that are identified for the purposes of
10 this section. Programs must: ~~((a))~~ (i) Effectively address the
11 educational, physical, emotional, mental, and medical needs of
12 children and youth; and ~~((b))~~ (ii) incorporate an array of family
13 support options, to individual needs and choices of the child and
14 family. The programs must be ready for implementation by January 1,
15 1995;

16 ~~((3))~~ (c) Conduct an evaluation of all children currently
17 within the foster care agency caseload to identify those children who
18 meet the criteria set forth in this section. All children entering
19 the foster care system must be evaluated for identification of long-
20 term needs, including a screening for traumatic brain injury, within
21 thirty days of placement~~((7))~~. If the screening reveals symptoms of
22 traumatic brain injury, the child must be referred to a primary care
23 physician or pediatrician for further evaluation and the caregivers
24 must be provided information about the effects of traumatic brain
25 injury on children. The primary care physician or pediatrician may
26 additionally refer the child to a physician who specializes in
27 traumatic brain injury if necessary. For purposes of this subsection,
28 "traumatic brain injury" includes concussion.

29 ~~((4))~~ (2)(a) As a result of the passage of chapter 232, Laws of
30 2000, the department is conducting a pilot project to do a
31 comparative analysis of a variety of assessment instruments to
32 determine the most effective tools and methods for evaluation of
33 children. The pilot project may extend through August 31, 2001. The
34 department shall report to the appropriate committees in the senate
35 and house of representatives by September 30, 2001, on the results of
36 the pilot project. The department shall select an assessment
37 instrument that can be implemented within available resources. The
38 department shall complete statewide implementation by December 31,
39 2001. The department shall report to the appropriate committees in
40 the senate and house of representatives on how the use of the

1 selected assessment instrument has affected department policies, by
2 no later than December 31, 2002, December 31, 2004, and December 31,
3 2006(~~(7~~
4 ~~(5))~~). The secretary shall use the assessment tool developed
5 pursuant to this subsection (~~((4) of this section)~~) (2)(a) in making
6 out-of-home placement decisions for children(~~(7)~~).
7 ~~((6))~~ (b) Each region of the department shall make the
8 appropriate number of referrals to the foster care assessment program
9 to ensure that the services offered by the program are used to the
10 extent funded pursuant to the department's contract with the program.
11 The department shall report to the legislature by November 30, 2000,
12 on the number of referrals, by region, to the foster care assessment
13 program. If the regions are not referring an adequate number of cases
14 to the program, the department shall include in its report an
15 explanation of what action it is or has taken to ensure that the
16 referrals are adequate(~~(7)~~).
17 ~~((7))~~ (c) The department shall report to the legislature by
18 December 15, 2000, on how it will use the foster care assessment
19 program model to assess children as they enter out-of-home care(~~(7)~~).
20 ~~((8))~~ (d) The department is to accomplish the tasks listed in
21 (~~(subsections (4) through (7) of this section)~~) (a) through (c) of
22 this subsection within existing resources(~~(7)~~).
23 ~~((9))~~ (3) The secretary shall also study and develop:
24 (a) A comprehensive plan for the evaluation and identification of
25 all children and youth in need of long-term care or assistance,
26 including, but not limited to, the mentally ill, developmentally
27 disabled, medically fragile, seriously emotionally or behaviorally
28 disabled, and physically impaired;
29 ~~((10) Study and develop)~~ (b) A plan for the children and youth
30 in need of long-term care or assistance to ensure the coordination of
31 services between the department's divisions and between other state
32 agencies who are involved with the child or youth;
33 ~~((11) Study and develop)~~ (c) Guidelines for transitional
34 services, between long-term care programs, based on the person's age
35 or mental, physical, emotional, or medical condition; and
36 ~~((12) Study and develop)~~ (d) A statutory proposal for the
37 emancipation of minors.

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