

# HOUSE BILL REPORT

## HB 1493

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**As Reported By House Committee On:**  
Children & Family Services

**Title:** An act relating to homeless children and their families.

**Brief Description:** Establishing a collaborative effort to address the housing needs of homeless children and their families.

**Sponsors:** Representatives Tokuda, Boldt, Edwards, Lovick, Veloria, O'Brien, Barlean, Ogden, Conway, Schual-Berke, Murray, Dickerson, Kenney, Regala, Cooper, Stensen, Cody, Anderson, Santos, Rockefeller, Kagi, Edmonds, Lantz and Wood.

**Brief History:**

**Committee Activity:**

Children & Family Services: 2/4/99, 2/25/99 [DPS].

**Brief Summary of Substitute Bill**

- The Department of Community, Trade, and Economic Development and the Department of Social and Health Services will develop a collaborative approach to serving homeless children and their families.

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### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives D. Sommers, Republican Co-Chair; Tokuda, Democratic Co-Chair; Boldt, Republican Vice Chair; Kagi, Democratic Vice Chair; Campbell; Carrell; Dickerson; Eickmeyer; Kastama and Pflug.

**Staff:** David Knutson (786-7146).

**Background:**

The Department of Social and Health Services was sued by the Washington Coalition for the Homeless over the department's role in delivering services to homeless children and their families. In December 1997, the Washington Supreme Court ruled in favor of the plaintiff and determined, based on language in the state child welfare

statute, that the department had a responsibility to devise and implement a "coordinated and comprehensive" plan for the care and protection of homeless children and their families. The Court's ruling only applied to homeless children and their families, not to a broader population of homeless children without parental care or support. The Court also ruled that juvenile court judges have the authority to order the department to offer housing assistance to a child's family when homelessness is the primary reason for placing a child in foster care or continuing a placement.

The Governor directed the Department of Community, Trade, and Economic Development (DCTED) and the Department of Social and Health Services (DSHS) to jointly develop the "coordinated and comprehensive" plan required by the Supreme Court's ruling. The plan will be submitted to the King County Superior Court five weeks after the end of the 1999 legislative session.

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**Summary of Substitute Bill:**

The DCTED will be the principle state agency responsible for the state's activities for developing a coordinated and comprehensive plan to serve homeless children and their families. The DSHS will coordinate with the DCTED on the plan to serve homeless children and their families and will modify its programs and services to address the needs of homeless children and their families. In dependency cases, the judge will determine whether the DSHS used reasonable efforts, including housing assistance, to avoid out-of-home placements or shorten the duration of an out-of-home placement.

**Substitute Bill Compared to Original Bill:** The responsibility of the DSHS to serve homeless children and their families is clarified and limited. The scope of the comprehensive and coordinated plan to serve homeless children and their families is limited by the amounts specifically appropriated by the Legislature in the operating and capital budgets. The references to homeless children in the child welfare statutes are removed. The emergency clause is removed.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Original bill) The roles and responsibilities of the DCTED and the DSHS must be clearly laid out in statute. The agencies should work together to develop the comprehensive and coordinated plan to serve homeless children and

families. The plan to serve homeless children and their families should be limited by the amount specifically authorized by the legislature in the operating and capital budgets. Some form of court review must be retained to ensure the departments will carry out their statutory obligations.

**Testimony Against:** None.

**Testified:** (In support with amendments) Seth Dawson, Washington State Coalition for the Homeless; Phoebe Nelson, Washington State Coalition for the Homeless; Corky Senecal, Washington State Coalition for the Homeless; Kathy Kreiter, Department of Community, Trade and Economic Development; Lyle Quasim, Department of Social and Health Services; and Michael Collins, Assistant Attorney General.