

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> 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
Department of Children, Youth, and Families	0	0	70,000	0	0	68,000	0	0	68,000
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>70,000</b>	<b>0</b>	<b>0</b>	<b>68,000</b>	<b>0</b>	<b>0</b>	<b>68,000</b>

## 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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.2	0	0	36,000	.2	0	0	48,000	.2	0	0	48,000
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	.2	39,000	39,000	39,000	.1	22,000	22,000	22,000	.1	22,000	22,000	22,000
State School For The Blind	Fiscal note not available											
Washington State Center for Childhood Deafness and Hearing Loss	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>3.6</b>	<b>800,000</b>	<b>800,000</b>	<b>906,000</b>	<b>3.5</b>	<b>762,000</b>	<b>762,000</b>	<b>878,000</b>	<b>3.5</b>	<b>762,000</b>	<b>762,000</b>	<b>878,000</b>

## 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	.0	0	0	.0	0	0	.0	0	0
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	.0	0	0	.0	0	0	.0	0	0
State School For The Blind	Fiscal note not available								
Washington State Center for Childhood Deafness and Hearing Loss	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Cynthia Hollimon, OFM	<b>Phone:</b> (360) 810-1979	<b>Date Published:</b> Preliminary 3/14/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> Child abuse and neglect	<b>Agency:</b> 110-Office of Administrative Hearings
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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: Omeara Harrington	Phone: 360-786-7136	Date: 03/09/2023
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 03/10/2023
Agency Approval: Deborah Feinstein	Phone: 360-407-2717	Date: 03/10/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/10/2023

## 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.*

No fiscal impact. This legislation will not measurably increase the appeal workload for the Office of Administrative Hearings.

Data on the number, location, and size of residential schools is currently unclear but the Department of Children, Youth & Families (DCYF) estimates 24 residential schools, and the Department of Health estimates 10 group care facilities that will be impacted by this bill.

This is assumed to generate 44 new cases each Fiscal Year. Using historical appeal rates from DCYF to OAH, these 44 cases could lead to up to 4 additional hearings at OAH.

OAH assumes each hearing will require 3.85 hours, and that hearings will be provided with existing resources.

### 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.*

None

## 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

**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

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> Child abuse and neglect	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	0.2	0.2	0.2	0.2
<b>Account</b>					
General Fund-Private/Local 001 -7	12,000	24,000	36,000	48,000	48,000
<b>Total \$</b>	12,000	24,000	36,000	48,000	48,000

### 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: Omeara Harrington	Phone: 360-786-7136	Date: 03/09/2023
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 03/13/2023
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 03/13/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/14/2023

## 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.*

The fiscal impact has not changed from the previous fiscal note on 5515 SSB. This bill clarifies that the legislature intends to provide greater oversight to facilities that otherwise lack nationally recognized accreditation and directs the Department of Children Youth and Families and the Department of Health (department) to work collaboratively to coordinate oversight and monitoring. It directs the Department of Children Youth and Families to ensure the health and safety of children who are served in certain residential facilities and residential private schools when allegations of child abuse or neglect are made at those facilities.

Section 3: Amends RCW 26.44.210 (Alleged Child Abuse or Neglect at the State School for the Deaf—Investigation by Department—Investigation Report) directing the Department of Children Youth and Families to investigate referrals of alleged child abuse or neglect occurring at the Washington center for deaf and hard of hearing youth, and substance use disorder treatment facilities licensed under 71.24 RCW (Community Behavioral Health Services Act), entities that provide behavioral health services defined in RCW 71.24.025 (Definitions) and residential schools defined in RCW 74.15.020 (Definitions). The department anticipates receiving referrals for an additional 2 investigations per year as a result of this section.

### 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.*

Current law, RCW 43.70.250 (License fees for professions, occupations, and businesses.) requires that a business-licensing program be self-supporting and sufficient revenue be collected through fees to fund expenditures. The department does not anticipate the need to increase licensing fees to support the changes proposed in this bill. However, the department anticipates raising residential treatment facility and behavioral health agency licensing fees to maintain a healthy fund balance. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

### 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.*

#### Investigation

Sections 3: Based on experiences with behavioral health facilities and residential treatment facilities, the department is estimating receiving referrals for an additional 2 investigations per year. Since the department has begun the regulation of behavioral health agencies and residential treatment facilities, the department has learned that the investigations of these facilities can easily become complicated with many safety risks. The investigations need to be conscientious to the safety of patients, facility staff, and the department's staff conducting the investigation.

The complaint response process includes five steps: 1) intake, 2) assessment, 3) investigation, 4) case disposition, and 5) adjudication. Staff review the complaint, identify the history of the facility complained about, and help assess whether an investigation is needed. The investigator obtains information about the complaint and the respondent, then prepares a report detailing the findings. The average length of investigation for these facility types is 46 hours. After investigation, the disciplining authority decides whether to pursue legal action. Staff attorneys, paralegals, assistant attorney general, and other staff work to develop the legal documents and charge the violation. Most cases are settled, and the staff attorney manages that process. If the respondent asks for a hearing, staff must schedule the hearing, and the health law judge considers all legal motions, presides over the hearing, and draft the final order. Also, the Office of the Attorney General will represent the department at hearings and may provide advice throughout the enforcement process.

FY 2024 costs will be 0.1 FTE and \$12,000 (GF-L).  
 FY 2025 and ongoing, costs will be 0.2 FTE and \$24,000 (GF-L).

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-7	General Fund	Private/Local	12,000	24,000	36,000	48,000	48,000
<b>Total \$</b>			12,000	24,000	36,000	48,000	48,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	0.2	0.2	0.2	0.2
A-Salaries and Wages	8,000	16,000	24,000	32,000	32,000
B-Employee Benefits	2,000	6,000	8,000	12,000	12,000
E-Goods and Other Services	1,000	1,000	2,000	2,000	2,000
T-Intra-Agency Reimbursements	1,000	1,000	2,000	2,000	2,000
<b>Total \$</b>	12,000	24,000	36,000	48,000	48,000

**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
FORMS & RECORDS ANALYST 2	53,100	0.1	0.1	0.1	0.1	0.1
HEALTH SERVICES CONSULTANT 4	82,896		0.1	0.1	0.1	0.1
<b>Total FTEs</b>		0.1	0.2	0.2	0.2	0.2

**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

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> Child abuse and neglect	<b>Agency:</b> 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
<b>Total \$</b>	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
<b>Account</b>					
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
<b>Total \$</b>	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: Omeara Harrington	Phone: 360-786-7136	Date: 03/09/2023
Agency Preparation: Kevin Keogh	Phone: 360-628-2652	Date: 03/14/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 03/14/2023
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 03/14/2023

## 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 ESSB to 5515 SSB:

The language of section 3 has been amended. None of these changes have been deemed to alter the requirements of the bill or the Department's assumptions about implementation of the bill.

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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
<b>Total \$</b>			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					
T-Intra-Agency Reimbursements	61,000	61,000	122,000	122,000	122,000
9-					
<b>Total \$</b>	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
<b>Total FTEs</b>		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
<b>Total \$</b>	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

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> Child abuse and neglect	<b>Agency:</b> 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.*

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- 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.
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- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Omeara Harrington	Phone: 360-786-7136	Date: 03/09/2023
Agency Preparation: Amanda Pierpoint	Phone: (360) 725-8428	Date: 03/13/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 03/13/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 03/14/2023

## 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.

Engrossed Substitute Senate Bill 5515 amends the following:

The purpose of this engrossed substitute bill is to protect children from child abuse and neglect at residential facilities and residential private schools; 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.

Section 7 states that if any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 8 states that sections 2 and 4 of this act take effect July 1, 2025.

Section 9 states that 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.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> Child abuse and neglect	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.1	0.2	0.1	0.1
<b>Account</b>					
General Fund-State 001-1	28,000	11,000	39,000	22,000	22,000
<b>Total \$</b>	28,000	11,000	39,000	22,000	22,000

### 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: Omeara Harrington	Phone: 360-786-7136	Date: 03/09/2023
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 03/13/2023
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 03/13/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 03/14/2023

## 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.*

#### ESSB 5515 Compared to SSB 5115

Section 1: Revises findings and intent section to include:

- Finds that there is a lack of oversight of certain residential facilities and residential private schools charged with the care of children.
- Intends for great state oversight of such facilities that otherwise lack nationally recognized accreditation.
- Resolves to conduct investigations of certain residential facilities and residential private schools when allegations of child abuse or neglect are made at those facilities.

Section 3(1)(a): Language changed requiring DCYF to investigate all referrals of alleged child abuse or neglect occurring at the Washington Center for Deaf and Hard of Hearing Youth, substance use disorder treatment facilities licensed under chapter 71.24 RCW, entities that provide behavioral health services as defined in RCW 71.24.025, and residential private schools as defined in RCW 74.15.020.

Section 3(1)(b): Language added informing that after investigating an allegation of child abuse or neglect under this section, DCYF is required to determine whether there is a finding of abuse or neglect.

#### Summary of SSB 5515:

Section 1 (New):

Finding and intent section.

- Finds that there is a lack of oversight of certain residential facilities and residential private schools charged with the care of children.
- Intends for great state oversight of such facilities that otherwise lack nationally recognized accreditation.
- Intends for Department of Child, Youth, and Families (DCYF) and the Department of Health (DOH) to work collaboratively to coordinate oversight and monitoring processes to ensure state resources are used efficiently and effectively.
- Resolves to conduct investigations of certain residential facilities and residential private schools when allegations of child abuse or neglect are made at those facilities.

Section 2 (New):

Section 2(1)(a): Requires DCYF to license the living accommodations provided by residential schools as defined in RCW 74.15.020.

Section 2(1)(b): Informs that a residential private school is exempt from the licensing requirements of (as) of this subsection if:

- The residential private school is accredited by an accrediting body approved by the State Board of Education (SBE) in accordance with accreditation standards and procedures established by the SBE under RCW 28A.305.130; and
- The accreditation covers the student living accommodations including examination of comparable criteria as listed in subsection (2) of this section as determined by the SBE in consultation with the department.

Section 2(2): Requires DCYF to engage in negotiated rule making pursuant to RCW 34.05.310(2) (a) with SBE and other affected interests to adopt minimum health and safety rules to implement this section. Provides list of what the rules must address.

Section 3 (Amended):

Section 3(1)(a): Revises language to ensure DCYF investigates all referrals of alleged child abuse or neglect occurring at the Washington Center for Deaf and Hard of Hearing Youth, substance use disorder treatment facilities licensed under

74.24 RCW, entities that provide behavioral health services as defined in RCW 74.24.025, and residential schools as defined in RCW 74.15.020.

Section 3(1)(b): Language added that after investigating an allocation of child abuse or neglect under this section, DCYF is required to determine whether there is a finding of abuse and neglect, and determine whether a referral to law enforcement is appropriate under this chapter.

Section 3(1)(c): Language added requiring DCYF to adopt rules to implement this section.

Section 3(1)(d): Language added requiring any facilities referenced under (a) of this subsection where DCYF is investigating child abuse or neglect share records and any other information that is relevant to the DCYF's investigation.

Section 3(2): Revises language to require DCYF to send a copy of the investigation report, including the findings to the administration of the facility in which the incident occurred and to the state agency which provides licensure, oversight, and accreditation to the program at the facility in which the incident occurred.

Section 4 (Amended):

Section 4(1): Language added to the definition of "agency" to include residential private schools.

Section 4(2)(f): Strikes language regarding schools, including boarding. Language added stating nonresidential schools operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children.

Section 5 (New):

Requires any facilities or entities that provide behavioral health where DCYF is investigating child abuse or neglect share records and any other information that is relevant to the DCYF's investigation.

Section 6 (New):

Requires DCYF to submit to the appropriate committees of the legislature, in compliance with RCW 43.01.036, a preliminary progress report on licensing and oversight of residential private schools no later than July 1, 2025, and final report no later than July 1, 2026.

Section 7 (New):

Indicates that if any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 8 (New):

Indicates that sections 2 and 4 of this act take effect July 1, 2025.

Section 9 (New):

Indicates that 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.*

No cash receipts impact anticipated.

## **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.*

To implement Section 2, the State Board of Education (SBE) would need to enter into negotiated rulemaking with the Department of Children, Youth, and Families (DCYF) as it develops rules during FY24 and FY25, consistent with a shared assumption that DCYF would begin to develop the rules during FY24. DCYF indicated that the process would likely entail six meetings, each up to a full day, during FY24. SBE anticipates two staff attending each meeting with two additional days per staff person per meeting associated with preparation and follow up during fiscal year 2024.

In addition, SBE would work collaboratively to ensure that SBE’s existing oversight and approval process is modified as necessary to coordinate it with processes administered by DCYF.

Section 2 also requires SBE to determine whether existing accreditation covers the student living accommodations, including examination of comparable criteria used by DCYF for other residential facilities, in consultation with the department. SBE estimates that up to five different accrediting organizations currently accredit existing residential schools. Staff time would be required to gather and analyze information from the accrediting bodies and compare to the DCYF criteria. This would likely require 15 days of program manager time during fiscal year 2024.

Implementation of Section 2 would require:

0.1 FTE Program Manager; \$11,000 during FY24

0.1 FTE Program Director; \$17,000 during FY24

Finally, we will follow up as necessary on Section 3(2) investigation reports, which we estimate will occur at a frequency of 1 per year.

Implementation of Section 3 would require:

0.1 FTE Program Manager; \$11,000 during FY25; \$11,000 for all subsequent fiscal years

**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	28,000	11,000	39,000	22,000	22,000
<b>Total \$</b>			28,000	11,000	39,000	22,000	22,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.1	0.2	0.1	0.1
A-Salaries and Wages	19,000	7,000	26,000	14,000	14,000
B-Employee Benefits	6,000	3,000	9,000	6,000	6,000
C-Professional Service Contracts					
E-Goods and Other Services	3,000	1,000	4,000	2,000	2,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	28,000	11,000	39,000	22,000	22,000

**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
SBE Program Director	116,000	0.1		0.1		
SBE Program Manager	71,000	0.1	0.1	0.1	0.1	0.1
<b>Total FTEs</b>		0.2	0.1	0.2	0.1	0.1

**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

No capital budget impact is anticipated.

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Rulemaking may be required to address the approval process and requirements for schools offering a residential program.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5515 E S SB	<b>Title:</b> Child abuse and neglect	<b>Agency:</b> 353-Washington State Center for Childhood Deafness and Hearing Loss
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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: Omeara Harrington	Phone: 360-786-7136	Date: 03/09/2023
Agency Preparation: April Burns	Phone: 360-418-4326	Date: 03/10/2023
Agency Approval: April Burns	Phone: 360-418-4326	Date: 03/10/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/13/2023

## 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.*

CDHY has no fiscal impact with this bill. The agency has mandatory reporting requirements and guidelines in place to ensure the safety of the students on campus and at the agency.

### 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.*

### 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.*

## 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

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*