

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families
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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 Attorney General	0	0	32,000	0	0	64,000	0	0	64,000
Washington State Health Care Authority	0	0	914,000	0	0	3,536,000	0	0	3,536,000
Washington State Health Care Authority	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>946,000</b>	<b>0</b>	<b>0</b>	<b>3,600,000</b>	<b>0</b>	<b>0</b>	<b>3,600,000</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
Administrative Office of the Courts	1.0	479,400	479,400	479,400	2.0	939,600	939,600	939,600	2.0	939,600	939,600	939,600
Office of Public Defense	.9	1,107,824	1,107,824	1,107,824	1.8	2,178,022	2,178,022	2,178,022	1.8	2,178,022	2,178,022	2,178,022
Office of Attorney General	.3	0	0	32,000	.5	0	0	64,000	.5	0	0	64,000
Department of Commerce	Fiscal note not available											
Washington State Health Care Authority	.5	959,000	959,000	1,873,000	1.0	3,626,000	3,626,000	7,162,000	1.0	3,626,000	3,626,000	7,162,000
Washington State Health Care Authority	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
<b>Total \$</b>	<b>2.7</b>	<b>2,546,224</b>	<b>2,546,224</b>	<b>3,492,224</b>	<b>5.3</b>	<b>6,743,622</b>	<b>6,743,622</b>	<b>10,343,622</b>	<b>5.3</b>	<b>6,743,622</b>	<b>6,743,622</b>	<b>10,343,622</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of Public Defense	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Commerce	Fiscal note not available								
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.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
<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> Carly Kujath, OFM	<b>Phone:</b> (360) 790-7909	<b>Date Published:</b> Preliminary 2/ 9/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years		2.0	1.0	2.0	2.0
<b>Account</b>					
General Fund-State 001-1		479,400	479,400	939,600	939,600
State Subtotal \$		479,400	479,400	939,600	939,600
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					

### Estimated Capital Budget Impact:

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

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 for 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.

Legislative Contact: Josh Hinman	Phone: 3607867281	Date: 01/25/2024
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/29/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/29/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/31/2024

192,533.00

Form FN (Rev 1/00)

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Request # 148-1

Bill # 6109 S SB

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill would address the support to children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids.

Section 202 (1) would amend judicial training requirements in RCW 2.56.230 related to superior courts participating in the Family and Youth Justice Court Improvement Program. Within six months of assuming duties in a family and juvenile court, required training topics must also include the risk and danger presented to children and youth by high-potency synthetic opioids and the Washington State legal standards for removal of a child based on abuse or neglect.

Section 202 (2)(b) would expand the eligible costs family and juvenile courts may receive reimbursement for to include the costs of training to professionals involved in child welfare court proceedings including, but not limited to, attorneys and guardians ad litem.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

To deliver the required training to judges, commissioners, and court partners that would be required under the bill, the Administrative Office of the Courts' (AOC's) Family and Youth Justice Program would need additional training capacity and pass-thru funding to courts.

The work of applying synthetic opioid information to the existing task dependency professionals have of assessing child safety and developing effective safety plans to keep children in their homes when a parent is struggling with a substance use disorder would include:

Total Costs: FY 2025 \$479,000 one-time, \$470,000 per fiscal year ongoing

Training Resources. The AOC would need to add two additional trainers to develop and provide current, science-based fentanyl and child safety training to judicial officers and other court partners. The new staff would also facilitate cross-system learning events to support community building and respect at the court level.

Safety and Substance Use Training Specialist (Senior Court Program Analyst) and Dependency Court Distance Learning Specialist (Court Education Professional). Beginning July 1, 2024 and ongoing, AOC would require salary, benefits, and associated standard costs for 2.0 FTE focused on training.

Additionally, AOC would need additional travel funding for the staff to support in-person training (\$2,000 per year) and to contract for subject matter expertise in safety and fentanyl/substance use disorder work (\$5,000 per year).

Grant Funding. Within current resources, the AOC only has enough funding to reimburse courts for salary and benefits of local court coordinators. Expanding the eligible costs of the program with the expectation of broadening training to professionals involved in child welfare cases would require \$64,000 each fiscal year ongoing to be granted to participating courts. The funding would cover cross-system convenings including speaker fees, facility and meeting logistic fees, materials, and pro tem coverage.

Pass-Thru Funding to Washington Association of Child Advocate Programs. AOC would pass \$60,000 to WACAP each year for regional program trainings for guardians ad litem.

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 30.59% of salaries.

Goods and Services are the agency average of \$3,600 per direct program FTE.

Travel is the agency average of \$2,000 per direct program FTE.

Ongoing Equipment is the agency average of \$1,800 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE.

Agency Indirect is calculated at a rate of 25.86% of direct program salaries and benefits.

192,533.00

Form FN (Rev 1/00)

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Request # 148-1

Bill # 6109 S SB

## Part III: Expenditure Detail

### Part III: Expenditure Detail

#### III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		2.0	1.0	2.0	2.0
Salaries and Wages		197,100	197,100	394,200	394,200
Employee Benefits		60,300	60,300	120,600	120,600
Professional Service Contracts		5,000	5,000	10,000	10,000
Goods and Other Services		7,200	7,200	14,400	14,400
Travel		6,000	6,000	12,000	12,000
Capital Outlays		13,200	13,200	7,200	7,200
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services		124,000	124,000	248,000	248,000
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements		66,600	66,600	133,200	133,200
<b>Total \$</b>		<b>479,400</b>	<b>479,400</b>	<b>939,600</b>	<b>939,600</b>

#### III. B - Expenditure By Object or Purpose (County)

NONE

#### III. C - Expenditure By Object or Purpose (City)

NONE

#### III. D - FTE Detail

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Court Education Professional	88,800		1.0	0.5	1.0	1.0
Sr Court Program Analyst	108,300		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			<b>2.0</b>	<b>1.0</b>	<b>2.0</b>	<b>2.0</b>

#### III. E - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

#### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

#### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

192,533.00

Form FN (Rev 1/00)

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

None

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families	<b>Agency:</b> 056-Office of Public Defense
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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	0.0	1.8	0.9	1.8	1.8
<b>Account</b>					
General Fund-State      001-1	0	1,107,824	1,107,824	2,178,022	2,178,022
<b>Total \$</b>	0	1,107,824	1,107,824	2,178,022	2,178,022

### 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: 01/25/2024
Agency Preparation: Amelia Watson	Phone: 360-586-3164 1	Date: 01/31/2024
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 01/31/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/01/2024

## 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 following provisions of Substitute Senate Bill 6109 are anticipated to impact the Office of Public Defense.

- Section 101 clarifies when child endangerment with high-potency synthetic opioids occurs and when evaluating whether endangerment occurs requires the court to consider certain factors.
- Section 104 amends RCW 13.34.050, RCW 26.44.050, and RCW 26.44.056 to find that the child abuse and neglect establishing a basis for imminent physical harm includes sexual abuse, sexual exploitation, a pattern of severe neglect, or endangerment with high-potency synthetic opioids.
- Section 105 defines high-potency synthetic opioids.
- Section 207 requires the Department of Children Youth and Families (DCYF) to develop a pilot program in at least eight counties that would refer pregnant people with high-potency synthetic opioid-related substance use disorders to community-based resources and supports.
- Section 210 requires DCYF to hire four legal liaison positions to assist in the preparation of dependency court cases involving allegations of high-potency synthetic opioids.

### 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.*

OPD assumes that Sections 102-105 will have an indeterminate but significant fiscal impact with the minimum anticipated fiscal impact described below. Parent Representation defense social work services and/or expert services will be needed in additional cases.

OPD assumes the following:

- The average percentage of dependency cases where drug abuse is the sole reason or a secondary reason for child removal will increase from 44% (2017-2023) to 49%.
- Using calendar year 2023 dependency case filings as a barometer (1,927 filings), 944 are projected to be drug abuse cases.
- In order to provide effective assistance of counsel, OPD projects that 10% of cases (94 cases) will request a contracted defense social services worker to participate on the case above current referral requests.
- In order to provide effective assistance of counsel, OPD projects that 20% of cases (189 cases) will have contested shelter care hearings that will require, on average, one defense expert per hearing.
- The average cost of a defense expert is projected to be approximately \$2,500. Examples of potential experts include drug toxicology experts, forensic social workers, parenting experts, and substance use disorder experts.
- The cost of defense experts likely will be impacted by the emergent nature of the referrals needed to meet the short timeline of shelter care hearings.

In order to process the additional Parent Representation cases and defense social services and expert services, the Office of Defense requires:

- A .25 FTE fiscal tech to process increased expert service and travel invoices.
- A .5 FTE paralegal to process expert requests, coordinate with experts, and provide other program supports.
- A 1.0 FTE Parents Representation Program managing attorney for additional technical assistance, training, and oversight. (Note that this workload could be absorbed if OPD is funded for a Parents Representation Program training



coordinator as provided in the Governor's supplemental budget.)

- 4.0 full-time contracts for defense social work services.

OPD assumes the pilot program referenced in Section 207 for at least eight counties to connect pregnant people with high-potency synthetic opioid-related substance use disorders to community-based resources may increase the number of referrals to pre-filing legal representation programs administered by OPD. The impact is indeterminate at this time.

OPD assumes that the four legal liaison positions referenced in Section 210, to assist DCYF and the office of the attorney general in filing dependency cases, may create a need for additional legal defense resources at OPD, but the impact is indeterminate at this time.

OPD projects increased annual costs as follows:

- \$182,136 for salaries, as identified at Expenditure Object A (Salaries and Wages).
- \$48,975 for employee benefits, as identified at Expenditure Object B (Employee Benefits).
- \$43,813 for office materials, equipment, and services in the first year and \$25,000 in subsequent years, as identified at Expenditure Object E (Goods and Services).
- \$10,000 for travel for contracted attorneys, defense social work contractors, and experts, as identified at Expenditure Object G (Travel).
- \$350,400 for defense social work contractors, included at Expenditure Object N (Grants & Client Services).
- \$472,500 for Parent Representation Program defense experts, included at Expenditure Object N (Grants & Client Services).

### 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	0	1,107,824	1,107,824	2,178,022	2,178,022
<b>Total \$</b>			0	1,107,824	1,107,824	2,178,022	2,178,022

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.8	0.9	1.8	1.8
A-Salaries and Wages		182,136	182,136	364,272	364,272
B-Employee Benefits		48,975	48,975	97,950	97,950
C-Professional Service Contracts					
E-Goods and Other Services		43,813	43,813	50,000	50,000
G-Travel		10,000	10,000	20,000	20,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		822,900	822,900	1,645,800	1,645,800
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	1,107,824	1,107,824	2,178,022	2,178,022

#### 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
Fiscal Tech	69,072		0.3	0.1	0.3	0.3
Managing Attorney	124,392		1.0	0.5	1.0	1.0
Paralegal	80,972		0.5	0.3	0.5	0.5
<b>Total FTEs</b>			1.8	0.9	1.8	1.8

**III. D - Expenditures By Program (optional)**

<b>Program</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>2023-25</b>	<b>2025-27</b>	<b>2027-29</b>
Children & Families SSB6109 (030)		1,107,824	1,107,824	2,178,022	2,178,022
<b>Total \$</b>		1,107,824	1,107,824	2,178,022	2,178,022

**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> 6109 S SB	<b>Title:</b> Children and families	<b>Agency:</b> 100-Office of Attorney General
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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
Legal Services Revolving Account-State 405-1		32,000	32,000	64,000	64,000
<b>Total \$</b>		32,000	32,000	64,000	64,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.5	0.3	0.5	0.5
<b>Account</b>					
Legal Services Revolving Account-State 405-1	0	32,000	32,000	64,000	64,000
<b>Total \$</b>	0	32,000	32,000	64,000	64,000

### 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: 01/25/2024
Agency Preparation: Dan Jensen	Phone: 360-664-9429	Date: 01/31/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/31/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/01/2024

## 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.*

Section 1 – New section. Findings and intent.

Part I – High-Potency Synthetic Opioids and Children:

Section 101 – Amends RCW 13.34.050 to further define the form of child abuse or neglect allowing a court to order law enforcement, probation counselors, or child protective services to take a child into custody to include child endangerment with high-potency synthetic opioids. Further defines such endangerment and provides factors courts can consider whether such endangerment requires child removal.

Section 102 – Amends RCW 13.34.065 to include endangerment with high-potency synthetic opioids in the subsections related to child abuse in the post-removal provisions.

Section 103 – Amends RCW 26.44.050 to clarify child abuse or neglect includes child endangerment with high-potency synthetic opioids in provisions related to law enforcement investigation of abuse or neglect in a home.

Section 104 – Amends RCW 26.44.056 to clarify child abuse or neglect includes child endangerment with high-potency synthetic opioids in provisions allowing hospitals and physicians to detain a child suspected of being harmed.

Section 105 – Amends RCW 13.34.030 to include definition for high-potency synthetic opioids.

Part II – Services for Families:

Section 201 – New section. Requires the Department of Children, Youth, and Families (DCYF) to establish a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning. Requires pilot program to include contracts in up to four department offices for third-party safety plan participants and public health nurses to support child protective services workers and provide support in cases involving high-potency synthetic opioids in families who do not have natural supports to aid in safety planning.

Section 202 – Amends RCW 2.56.230 to include the risk and danger presented to children by high-potency synthetic opioids and the standards for removal of children from homes in the training required of new court commissioners and judges assigned to family and juvenile courts. Allows grant money for extending the training to other professionals involved in child welfare court proceedings.

Section 203 – Amends RCW 74.14B.005 to include definitions for “child welfare worker.”

Section 204 – New section. Allows child welfare workers responding to investigate issues in homes to request assistance from a trained individual when the worker has concerns based on family’s history of violence. Provides guidelines of who that second trained individual can be and prevents retaliation against the child welfare worker for requesting assistance.

Section 205 – New section. Requires DCYF to establish a pilot program for contracted child care slots for infants in child protective services in locales with historically high rates of child welfare screened-in intake where parental substance use disorder was a factor.

Section 206 – New section. Requires DCYF to enter into targeted contracts with existing home visiting programs in locales with the historically highest rates of child welfare screened-in intake to serve up to 150 families. Provides additional requirements related to content of training as well as eligibility to provide and receive the training.

Section 207 – New section. Requires DCYF to establish a pilot program to connect pregnant people with high-potency synthetic opioid-related substance use disorders in screened-out referrals to community-based resources and supports.

Section 208 – New section. Requires DCYF to implement and maintain a program that provides support to child welfare workers from public health nurses. The support must include information related to engaging and communicating with families about risks of high-potency synthetic opioids.

Section 209 – New section. Requires Health Care Authority (HCA) to establish a substance use disorder inpatient program that specializes in treating pregnant and parenting women using a family preservation model. Provides requirements related to funding, consultation with DCYF, and entities contracted to provide services.

Section 210 – New section. Requires DCYF to establish four legal liaison positions to work with the agency and the Attorney General’s Office (AGO) to assist with preparation of dependency court cases involving allegations of high-potency synthetic opioids. Provides additional requirements for liaison positions.

## **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.*

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Children Youth, and Families (DCYF). The Attorney General’s Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO’s authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency’s fiscal note. Appropriation authority is necessary in the AGO budget.

### **AGO AGENCY ASSUMPTIONS:**

DCYF will be billed for King County and non-King County rates:

FY 2025 and in each FY thereafter: \$32,000 for 0.2 Assistant Attorney General FTE (AAG) and 0.2 Paralegal 1 FTE (PL1)

## **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.*

Attorney General’s Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2024 legislative session.

Location of staffing is assumed to be in a King County and non-King County office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.4 MA

1. The AGO Children, Youth and Families Division (CYF) has reviewed this bill and determined it will increase the division’s workload for the Department of Children, Youth, and Families (DCYF).

DCYF estimates the enactment of this bill will result in DCYF seeking 39 additional pick-up orders where removal is necessary to prevent imminent physical harm due to child abuse or neglect resulting from endangerment with high potency synthetic opioids. DCYF assumes 15 percent of these pick-up orders will be sought in King County. For a court to grant the pick-up order, the court must find removal is necessary to prevent imminent physical harm due to child abuse and neglect, RCW 13.34.050(1). The enactment of this bill would add that such child abuse and neglect resulting from “endangerment with high potency synthetic opioids occurs when a parent, guardian, or legal custodian knowingly or intentionally creates a risk that a child will be harmed from exposure, ingestion, inhalation, or contact with high-potency synthetic opioids.” Section 101 (1)(b)(iv). The enactment of this bill would also add when evaluating whether endangerment with high-potency synthetic opioids necessitates removal of the child to prevent imminent physical harm due to child abuse or neglect, the court shall consider at a minimum the following factors: (1) Public health guidelines and best practices; (2) Age of the child or children in the home; and (3) Whether the child is particularly vulnerable given the child's medical or developmental conditions.”

AGO assumes each of the pick-up orders where removal is necessary to prevent imminent physical harm due to child abuse or neglect resulting from endangerment with high potency synthetic opioids will require one additional hour of AAG time for client counseling about the legal sufficiency of the motion for the pick-up order regarding the parent “knowingly or intentionally” creating the risk to the child, and inclusion of the public health guidelines and best practices (one hour x 39 pick-up orders = 39 AAG hours). Because the volume of DCYF’s dependency filings has not stabilized since HB 1227 became effective July 1, 2023, the workload of 39 additional pick-up orders beyond these additions to the pick-up order statute as explained above is indeterminate. DCYF estimates that it will seek out-of-home placement at 53 shelter care hearings where removal is necessary to prevent imminent physical harm due to child abuse or neglect resulting from endangerment with high potency synthetic opioids. DCYF assumes that 15 percent of these shelter care hearings will take place in King County.

The enactment of this bill would add that such child abuse and neglect resulting from “endangerment with high potency synthetic opioids occurs when a parent, guardian, or legal custodian knowingly or intentionally creates a risk that a child will be harmed from exposure, ingestion, inhalation, or contact with high-potency synthetic opioids” Section 102 (5)(a)(ii)(B)(I); Section 101 (1)(b)(iv). The enactment of this bill would also add when evaluating whether endangerment with high-potency synthetic opioids necessitates removal of the child to prevent imminent physical harm due to child abuse or neglect, the court shall consider at a minimum the following factors: (1) Public health guidelines and best practices; (2) Age of the child or children in the home; and (3) Whether the child is particularly vulnerable given the child's medical or developmental conditions.”

AGO assumes each of these shelter care hearings will require an additional two and a half hours of AAG time to prepare for the hearing, appear in court, demonstrate that the parent “knowingly or intentionally” created the risk to the child, and introduce the public health guidelines and best practices (two and a half hours x 53 hearings = 132.5 AAG hours). The Office of Public Defense (OPD) estimates 20 percent of the shelter care hearings will be contested and that parent attorneys will call defense experts, such as drug experts, forensic social workers, parenting experts, or substance use disorder experts. The AGO assumes these contested hearings will require an additional two and a half hours of AAG time to prepare the client to testify, prepare to cross-examine defense experts, prepare for court, and appear at the contested hearings (two and a half hours x 53 hearings x 20 percent = 26.5 AAG hours). Because the volume of DCYF’s dependency filings has not stabilized since HB 1227 became effective on July 1, 2023, the workload of DCYF seeking out-of-home placement at 53 shelter care hearings beyond what is explained above is indeterminate. During FY 2025 and each FY thereafter, 0.2 AAGs are estimated for client counseling, court preparation, and court appearances to prove that the parent “knowingly or intentionally creates a risk that a child will be harmed from exposure, ingestion, inhalation, or contact with high-potency synthetic opioids” in applicable cases; preparation of client testimony and cross-examination of expert witnesses.

CYF: Total King County and non-King County workload impact:  
 FY 2025 and in each FY thereafter: \$32,000 for 0.2 AAG and 0.2 PL1

2. The Attorney General’s Office (AGO) Administration Division (ADM) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are included in this request.

3. The AGO Agriculture & Health Division (AHD) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are included in this request.

4. The AGO Social & Health Services Division (SHO) has reviewed this bill and determined it will not increase or decrease the division’s workload. The enactment of this bill will not impact the provision of legal services to the Health Care Authority (HCA) because the bill mainly impacts the legal obligations for DCYF. Section 209 does require HCA to establish a substance use disorder inpatient program that specializes in treating pregnant and parenting women using a family preservation model. To the extent HCA needs legal advice on these new programs and contracts, estimated legal services are nominal and costs are not included in this request.

5. The AGO Solicitor General’s Office (SGO) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are included in this request.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services Revolving Account	State	0	32,000	32,000	64,000	64,000
<b>Total \$</b>			0	32,000	32,000	64,000	64,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.5	0.3	0.5	0.5
A-Salaries and Wages		22,000	22,000	44,000	44,000
B-Employee Benefits		7,000	7,000	14,000	14,000
E-Goods and Other Services		3,000	3,000	6,000	6,000
<b>Total \$</b>	0	32,000	32,000	64,000	64,000

**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
Assistant Attorney General	129,100		0.1	0.1	0.1	0.1
Assistant Attorney General-Seattle	135,555		0.1	0.1	0.1	0.1
Management Analyst 5	95,184		0.1	0.1	0.1	0.1
Paralegal 1	69,072		0.1	0.1	0.1	0.1
Paralegal 1-Seattle	72,528		0.1	0.1	0.1	0.1
<b>Total FTEs</b>			0.5	0.3	0.5	0.5

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Children, Youth, and Families (CYF)		32,000	32,000	64,000	64,000
<b>Total \$</b>		32,000	32,000	64,000	64,000

**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.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families	<b>Agency:</b> 107-Washington State Health Care Authority
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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		914,000	914,000	3,536,000	3,536,000
<b>Total \$</b>		914,000	914,000	3,536,000	3,536,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.0	0.5	1.0	1.0
<b>Account</b>					
General Fund-State 001-1	0	959,000	959,000	3,626,000	3,626,000
General Fund-Federal 001-2	0	914,000	914,000	3,536,000	3,536,000
<b>Total \$</b>	0	1,873,000	1,873,000	7,162,000	7,162,000

In addition to the estimates above, there are additional indeterminate costs 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: 01/25/2024
Agency Preparation: Samuel Quartey	Phone: 360-725-0000	Date: 02/07/2024
Agency Approval: Carl Yanagida	Phone: 360-725-5755	Date: 02/07/2024
OFM Review: Arnel Blancas	Phone: (360) 000-0000	Date: 02/08/2024

## 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.

See attached

### 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.

See attached.

### 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.

See attached.

## 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	0	959,000	959,000	3,626,000	3,626,000
001-2	General Fund	Federal	0	914,000	914,000	3,536,000	3,536,000
<b>Total \$</b>			0	1,873,000	1,873,000	7,162,000	7,162,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.0	0.5	1.0	1.0
A-Salaries and Wages		87,000	87,000	174,000	174,000
B-Employee Benefits		31,000	31,000	62,000	62,000
C-Professional Service Contracts					
E-Goods and Other Services		10,000	10,000	20,000	20,000
G-Travel		2,000	2,000	4,000	4,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		1,708,000	1,708,000	6,832,000	6,832,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		35,000	35,000	70,000	70,000
9-					
<b>Total \$</b>	0	1,873,000	1,873,000	7,162,000	7,162,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### 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
Medical Program Specialist 3	87,000		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.0	0.5	1.0	1.0

**III. D - Expenditures By Program (optional)**

<b>Program</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>2023-25</b>	<b>2025-27</b>	<b>2027-29</b>
Community Behavioral Health (150)		1,873,000	1,873,000	7,162,000	7,162,000
<b>Total \$</b>		1,873,000	1,873,000	7,162,000	7,162,000

**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

See attached.

**Part V: New Rule Making Required**

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

# HCA Fiscal Note

Bill Number: **6109 SSB**

HCA Request #: 24-098

Title: **Children and Families**

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

Indeterminate.

### Estimated Operating Expenditures from:

Indeterminate.

### 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.

# HCA Fiscal Note

Bill Number: **6109 SSB**

HCA Request #: 24-098

Title: **Children and Families**

## 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.*

Section 210 from the original bill is now section 209. These changes do not alter Health Care Authority's (HCA) fiscal impacts compared to the original bill SB 6109.

‘\*\*\*\*\*’

Section 209 (1) requires HCA to establish a substance use disorder inpatient program that specializes in treating pregnant and parenting women using a family preservation model.

Section 209 (2) requires HCA to contract with behavioral health entities in a manner that allows federal Medicaid funds to be leveraged to pay for a portion of services cost.

### 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. Distinguish between one time and ongoing functions.*

Indeterminate.

### 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. Distinguish between one time and ongoing functions.*

Fiscal impact for this bill is indeterminate.

HCA is unable to estimate the cost of services that will be provided under a family preservation model (a family preservation model serves fathers, partnered couples, and non-binary parents) as required in the bill due to a number of unknown variables (size of family, type of services required/needed, frequency of services required/needed, etc).

However, if the intent of the bill is for HCA to set up a family preservation model training/ program in our current Pregnant Parenting Women (PPW) programs, then HCA will require:

Facility costs - \$1,708,000 (of which \$854,000 is General Fund-state) for fiscal year (2025), and \$3,416,000 (of which \$1,708,000 is General Fund-state) for FY26 and each year after. HCA assumes a January 1, 2025, start date due to the time it will take to get a facility fully operational.

# HCA Fiscal Note

Bill Number: **6109 SSB**

HCA Request #: 24-098

Title: **Children and Families**

The following assumptions were made in arriving at the cost estimates listed above:

1. HCA assumes the facility will be a sixteen-bed facility.
2. The average length of stay for PPW programs is 6 months. Thus, given this longer length of stay, it is best to remain 16 beds or fewer as a non-Institutions for Medical Diseases (IMD) to ensure Medicaid can be utilized.

There will be training required for staff who normally only deal with pregnant and parenting mothers in a PPW model but now be required to interact with other family members (fathers, fathers, partnered couples, and non-binary parents, etc.) in a family preservation model as well as working with Child Protective Services (CPS) and Child Welfare (CW) organizations.

Full Time Equivalent (FTE) – HCA will require \$165,000 and 1.00 FTE to manage contracts for PPW facilities with a family preservation model, provide consultative services to PPW providers on family preservation models, create a comprehensive long-term planning of PPW services and the family preservation models in the overall substance use disorder (SUD) continuum of care.

## **Part III: Expenditure Detail**

### **III. A - Operating Budget Expenditure**

Indeterminate.

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

Indeterminate.

**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**

## HCA Fiscal Note

Bill Number: **6109 SSB**

HCA Request #: 24-098

Title: **Children and Families**

**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.

NONE

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families	<b>Agency:</b> 300-Department of Social and Health Services
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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: 01/25/2024
Agency Preparation: Seth Nathan	Phone: 360-902-0001	Date: 01/29/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 01/29/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/29/2024



## 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.*

This bill relates to supporting children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids.

The Department of Social and Health Services (DSHS) Economic Services Administration (ESA) estimates no workload, caseload, or Information Technology (IT) impacts associated with this bill, therefore no fiscal impact is anticipated.

### 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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families	<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:**

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: 01/25/2024
Agency Preparation: Damian Howard	Phone: 3602363000	Date: 01/29/2024
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 01/29/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 01/29/2024

## 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 bill expands what the courts and the Department of Children, Youth and Families (DCYF) to consider regarding child abuse and opioids. The bill does not require any activities from the Department of Health (DOH). There is no fiscal impact to the DOH.

### 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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6109 S SB	<b>Title:</b> Children and families	<b>Agency:</b> 307-Department of Children, Youth, and Families
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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: 01/25/2024
Agency Preparation: Michael Campbell	Phone: 5096544940	Date: 02/02/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 02/02/2024
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 02/02/2024

## 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 SSB 6109 to SB 6109

Sections 101(iv) provides that child abuse or neglect (CA/N) establishing the basis for a determination of imminent physical harm may include endangerment with high-potency synthetic opioids, which occurs when a parent, guardian, or legal custodian knowingly or intentionally creates a risk that a child will be harmed from exposure, ingestion, inhalation, or contact. This section also provides that courts shall consider several factors when evaluating whether endangerment necessitates removal of the child to prevent imminent physical harm due to CA/N.

Section 102 adds that endangerment with high-potency synthetic opioids can be a basis for removal of a child and placement of a child to prevent imminent physical harm due to CA/N.

Section 103 includes endangerment with high-potency synthetic opioids as a basis for law enforcement to have probable cause to take a child into custody without a court order to prevent imminent physical harm due to CA/N.

Section 104 includes endangerment with high-potency synthetic opioids as a basis for a hospital to have probable cause to detain a child to prevent imminent physical harm due to CA/N.

Section 207 requires DCYF, subject to appropriation, to develop and implement a pilot program for connecting pregnant people with high-potency synthetic opioid-related substance use disorders (SUD) in screened out intakes with voluntary prevention services aimed to reduce out of home placement in at least eight counties. The previous Section 207, requiring DCYF to establish a pilot for therapeutic support for children ages three to five, is removed.

Section 208 requires DCYF, subject to appropriation, to develop and implement a pilot program that provides support to child welfare workers from public health nurses regarding the following activities related to high potency synthetic opioids: engaging and communicating with families about risks and determining the level of risk presented to a child in a specific case. (No changes from Section 209 in the original bill.)

Section 210 requires DCYF, subject to appropriation, to establish four positions to be created to be legal liaison between the social worker staff and AGOs office related to high potency synthetic opioids. (No changes from Section 212 in the original bill.)

#### SB 6109

Section 201- subject to appropriation, DCYF is required to develop and implement a pilot for third party safety planning participants and public health nurses in up to four department offices.

Section 204 stipulates that child welfare workers may requests a second trained individual accompany them on visits when there are concerns that violence could occur, including a law enforcement officer, mental health professional, first responder, public health nurse, or an employee of DCYF who is a trained child welfare worker and acts in a supervisory capacity.

Section 205 requires DCYF, subject to appropriation, to- develop and implement a pilot program of contracted child care slots for infants in child protective services in locales with the historically highest rates of screened-in intake due to the exposure or presence of high-potency synthetic opioids in the home.

Section 206 requires DCYF, subject to appropriation, to develop and implement a pilot program of up to 150 contracted home visiting slots in locales with historically highest rates of child welfare screened-in intakes. Priority for the slots shall be given to child protective services cases, family assessment response cases, and family voluntary services cases.

## 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. DCYF receives federal reimbursement of 20% for Title IV-E qualifying child welfare staffing expenditures and 40% for placement costs.

## 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 is INDETERMINATE. DCYF is not able to estimate the costs for some of the requirements in the bill, and some sections are subject to appropriation. DCYF shows costs for sections where an impact can be estimated below.

### Children and Family Services Costs

#### Sections 101 – 104

These sections could lead to an increase in children removed from the home, taken in custody by law enforcement, or detained in hospitals under the clarified definition of imminent physical harm to include endangerment with high-potency synthetic opioids. Increased involuntary removals could lead to an increase in child welfare workload and foster care placements.

These sections also require DCYF to show that a parent “knowingly or intentionally” endangered their child due to exposure to high potency synthetic opioids. DCYF assumes case workers may need to spend more time to show proof that the parent is knowingly or intentionally endangering their child to present in court. This would lead to a workload impact. Costs are indeterminate.

In the November Child Welfare forecast, the Caseload Forecast Council estimates there will be an average of 5.2 fewer licensed placements per month under the removal standard established in current law (E2SHB 1227 (c 211, 1 2021)). This assumption results in a cumulative reduction of 62.8 cases per year to basic foster care caseload forecast. Under the revised imminent harm standard created in this bill, it is likely that some of these cases would meet the standard for involuntary removal and placement.

DCYF does not know how many of these estimated cases would meet the revised imminent harm standard created in this bill due to high-potency synthetic opioids. The following assumptions and costs are for illustrative purposes. If 50 percent of cases involved high-potency synthetic opioids, then DCYF would see an increase of 2.6 placements per month, or a cumulative 31.4 placements per year.

Total estimated cost for these sections: FY25 \$643,000 (\$462,000 GF-S)  
FY26 \$1,567,000 (\$1,092,000 GF-S) and subsequent years

Child welfare estimated workload costs:

Workload estimated costs total: FY25 \$304,000 (\$259,000 GF-S)  
FY26 \$603,000 (\$514,000 GF-S) and subsequent years



DCYF estimates that at least an additional 31 cases could come into care during FY 25. An additional 31 cases would require two (2) additional SSS3 positions. 31 cases / 18:1 ratio= 2 additional. SSS3- \$152,000 x 2 = 304,000 (\$259,000 GF-S)

In FY26 and subsequent years DCYF estimates an additional 63 cases per year requiring 3.5 SSS3 positions and 0.5 SSS5 positions. 63 cases/ 18:1 ratio = 3.50 SSS3 positions. SSS3- \$152,000 x 3.5 = \$517,000 (\$452,000 GF-S). With 3.5 SSS3 will require 0.5 SSS5 FTE (3.5 SSS3 / 6:1 ratio = 0.5 SSS5 FTE). 0.5 SSS5- \$172,000 = \$86,000 (\$73,000 GF-S)

Foster care estimated placement costs:

Placement estimate cost total:           FY25   \$339,000 (\$203,000 GF-S)  
  FY26   \$964,000 (\$578,000 GF-S) and subsequent years

DCYF assumes that there could be an increase in out of home placements as a result of this bill. DCYF estimates that by June 30, 2025, DCYF will have an additional 204 months of out of home placements by clients for the 31 cases coming into care in FY25. DCYF estimates 204 months x \$1660.21 (per cap as of Nov 23) = \$339,000 (\$203,000 GF-S) in additional placement costs for FY 25.

In FY 26 and subsequent years DCYF assumes there could be an increase of at least 580.5 months of out of home placements by clients from this bill for the 63 cases per year. DCYF estimates 580.5 months x \$1660.21 (per cap as of Nov 23) = \$964,000 (\$578,000 GF-S).

#### Section 201

This section is subject to appropriation and costs are INDETERMINATE. This section costs \$1,688,000 (\$1,654,000 GF-S)

Third Party Safety Planning Costs:

DCYF will develop a pilot program in four department offices to support CPS workers in safety planning. The pilot will provide support for cases in families that do not have natural support to aid in safety planning. The estimated cost is based on Office of Innovation Accountability and Alignment (OIAA) data regarding in-home and out-of-home safety plans in four locations and assumptions regarding the share of cases that would require a public health nurse or a Family Time provider. DCYF estimates costs of this section at:

FY25   \$1,516,000 (\$1,516,000 GF-S)

Requires one (1) Management Analyst 5 (MA5) to manage pilot program. \$172,000 (GF-S 138,000).

#### Section 204

Second Staff Costs

DCYF anticipates a need for an additional 6 FTE- Social Service Specialist 5 (SSS5) supervisory positions to accompany SSS3 staff in the field when there are dangerous situations identified by the SSS3. This is based on one per region and would be portions of SSS 5 time totaling 1 FTE per region.

6 SSS5 X \$172,000 = \$1,032,000

FY 25 \$1,032,000 (\$826,000 GF-S)

### Section 207

This section is subject to appropriation and costs are INDETERMINATE requires DCYF to establish a pilot program to connect pregnant people with high-potency synthetic opioid substance use disorder in screened out referrals to community-based resources and preventative services aimed at to avoid out of home placement. DCYF does not have enough information to produce an estimate of what would be required by the bill.

### Early Learning

#### Section 205

This section is subject to appropriation and costs are INDETERMINATE. To meet the requirements of this section, DCYF estimates a cost of \$1,600,000 (\$1,597,000 GF-S).

#### Contracted Safety Care Slots

DCYF estimates the cost to hold 100 full-day infant childcare slots open for four months in locales with historically high rates of screened-in intakes where parental SUD was a factor in the case. DCYF would require one (1) program specialist 5 (PS5) FTE to manage the slots. Slot costs were estimated using an average of each region's full-day infant rate for a provider rated at quality level 3, at 40% childcare center and 60% licensed family homes based on the current mix of provider type.

staff	FY25	FY26	FY27
GF-S	\$149,000	\$142,000	\$142,000
GF-F	\$3,000	\$3,000	\$3,000
slot	FY25	FY26	FY27
GF-S	\$1,448,000	\$1,448,000	\$1,448,000
GF-F	\$-	\$-	\$-
Total			
GF-S	\$1,597,000	\$1,590,000	\$1,590,000
GF-F	\$3,000	\$3,000	\$3,000

#### Section 206

This section is subject to appropriation and costs are INDETERMINATE. To meet the requirements of this section, DCYF estimates a cost of \$1,7720,000 from the Home Visiting Services Account for 150 slots. DCYF also estimates the need for 1.0 FTE to manage the slots.

#### Home Visiting:

DCYF estimates 150 home visiting slots, including 20 percent the cost of training for home visiting providers, at a cost per slot of \$10,679 based.  $\$10,679 \times 150 \text{ slots} = \$1,602,000$ . DCYF estimates the need for one (1) Program Specialist 5 (PS5) to manage the pilot program. \$158,000 (GF-S 158,000).

#### Program Support and Prevention

Section 101-104

AGO cost:

The cost is based on the increases in filings assumed to occur from Sections 101-104. These are estimates at this time for illustrative purposes only. The impact of this bill would require additional cost for the AGO time. This bill would require .1 FTE for AAG, .1 AAG- Seattle, .1 PL, and .1 for PL- Seattle for FY25 and subsequent years. Cost for FY25 and subsequent years is anticipated to be \$32,000 (\$29,000 GF-S).

The AGO provided the following workload assumptions:

- DCYF assumes that it will seek 39 pick-up orders where removal is necessary to prevent imminent physical harm due to child abuse or neglect resulting from endangerment with high potency synthetic opioids. (DCYF provided this assumption based on an assumed 31 additional placements with DCYF, plus an additional 25% of filings that would not result in a placement, for a total of 39 pick-up orders.) DCYF assumes that 15% of these pick-up orders will be filed in King County, based on the share of post-1227 removals that are from King County.
- DCYF assumes that it will seek out of home placement at 53 shelter care hearings where removal is necessary to prevent imminent physical harm due to child abuse or neglect resulting from endangerment with high potency synthetic opioids. (DCYF provided this assumption based on an assumed 39 pick-up orders, plus an additional 14 petitions from law enforcement or hospitals for a total of 53 shelter care hearings.) DCYF assumes that 15% of these shelter care hearings will take place in King County.

Section 208

This section is subject to appropriation and costs are INDETERMINATE. This section requires DCYF to provide public health nurse prevention consultation in cases with high potency synthetic opioids. To meet the requirements of the bill, DCYF estimates that this section costs \$1,522,000 (\$1,488,000 GF-S).

DCYF estimates public health nurses cost \$200,000 per year per FTE. DCYF estimates the need for 6.75 FTE to achieve statewide coverage = \$1,350,000.

Requires one (1) Management Analyst 5 (MA5) to manage pilot program. \$172,000 (GF-S 138,000).

Section 210

This section is subject to appropriation and costs are INDETERMINATE. This section requires DCYF to establish four legal liaisons to work between social service specialist and AGOs office. For modeling purposes, a Social and Health Program Consultant 2 (SHPC2) cost was used.

4 FTE X \$146,000= \$584,000 (GF-S \$472,000).

**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.*

Pilot programs would require new policy changes.