

Multiple Agency Fiscal Note Summary

Bill Number: 6109 2S SB	Title: 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
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Commerce	Fiscal note not available											
Washington State Health Care Authority	Fiscal note not available											
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	Fiscal note not available											
Department of Children, Youth, and Families	.0	972,000	972,000	972,000	.0	972,000	972,000	972,000	.0	0	0	0
Department of Children, Youth, and Families	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	1.9	2,559,224	2,559,224	2,559,224	3.8	4,089,622	4,089,622	4,089,622	3.8	3,117,622	3,117,622	3,117,622

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	Fiscal note not available								
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Health	Fiscal note not available								
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Carly Kujath, OFM	Phone: (360) 790-7909	Date Published: Preliminary 2/14/2024
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Judicial Impact Fiscal Note

Bill Number: 6109 2S SB	Title: Children and families	Agency: 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
Account					
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					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
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: 02/07/2024
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/13/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/13/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/13/2024

194,473.00

Request # 199-1

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 108 (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 108 (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.

Section 109 would require the Administrative Office of the Courts (AOC), in collaboration with the Department of Children, Youth, and Families, the Department of Health, and a statewide organization focused on advocating for the best interest of children experiencing abuse and neglect to develop and provide training on a number of topics.

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. AOC assumes the requirements of Section 109 would be a pass-thru to the 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.

194,473.00

Form FN (Rev 1/00)

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Request # 199-1

Bill # 6109 2S SB

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.

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
Total \$		479,400	479,400	939,600	939,600

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
Total FTEs			2.0	1.0	2.0	2.0

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

194,473.00

Form FN (Rev 1/00)

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

NONE

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

Bill Number: 6109 2S SB	Title: Children and families	Agency: 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
Account					
General Fund-State 001-1	0	1,107,824	1,107,824	2,178,022	2,178,022
Total \$	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: 02/07/2024
Agency Preparation: Amelia Watson	Phone: 360-586-3164 1	Date: 02/09/2024
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 02/09/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/12/2024

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 Second Substitute Senate Bill 6109 are anticipated to impact the Office of Public Defense.

- Section 101 amends RCW 13.34.030 to define high-potency synthetic opioid.
- Section 102 amends RCW 13.34.050 so that a court may enter an order removing a child when the court finds reasonable grounds it is necessary to prevent imminent physical harm due to a high-potency synthetic opioid. It also requires the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids.
- Section 103 amends RCW 13.34.065 to require the court at shelter care to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether removal of the child is necessary to prevent imminent physical harm as well as whether participation in services would prevent or eliminate the need for removal.
- Section 104 amends RCW 13.34.130 to require the court at fact finding to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether manifest danger exists that a child will suffer serious abuse or neglect if not removed from the home.
- Section 105 and 106 amend 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 high-potency synthetic opioids.
- Section 107 requires DCYF to hire at least six legal liaison positions (at least one position per DCYF region) 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 101-107 of 2SSB 6109 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 (for this FTE only) 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 that the statutory change to the fact-finding hearing referenced in Section 104 may create a need for additional legal defense resources at OPD, but the impact is indeterminate at this time. OPD assumes that the minimum of six legal liaison positions (at least one per DCYF region) referenced in Section 107, 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
Total \$			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-					
Total \$	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
Total FTEs			1.8	0.9	1.8	1.8

III. D - Expenditures By Program (optional)

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

Bill Number: 6109 2S SB	Title: Children and families	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Josh Hinman	Phone: 3607867281	Date: 02/07/2024
Agency Preparation: Dan Jensen	Phone: 360-664-9429	Date: 02/12/2024
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 02/12/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/13/2024

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.

1. The Attorney General's Office (AGO) Children, Youth and Families Division (CYF) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing Department of Children, Youth and Families (DCYF). Compared to SSB 6109, this bill does not add any requirements for DCYF to prove. When DCYF requests a pick-up order, requests to place a child in out-of-home placement at shelter care, or requests to have a child placed out-of-home at disposition due to manifest danger that the child will suffer serious abuse or neglect, the court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the Department of Health (DOH). DCYF estimates this bill would result in it seeking 39 additional pick-up orders and asking for out-of-home placement at 53 additional shelter care hearings. The volume of DCYF's dependency filings has not stabilized since HB 1227 became effective on July 1, 2023. New legal services are nominal and costs are not included in this request.
2. 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.
3. 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 legal services to Health Care Authority (HCA) because the bill mainly impacts the legal obligations for DCYF. Section 203 does require HCA to expand specific treatment and services to children and youth with prenatal exposure to substances. New legal services are nominal and costs are not included in this request.
4. The 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.
5. The AGO Agriculture and Health Division (AHD) has reviewed this bill and determined it will not increase or decrease the division's workload. The enactment of this bill will not impact legal services to DOH or the Department of Commerce (Commerce). Therefore, no costs are included in this request.

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

Bill Number: 6109 2S SB	Title: Children and families	Agency: 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: 02/07/2024
Agency Preparation: Seth Nathan	Phone: 360-902-0001	Date: 02/08/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/08/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	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.

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

Bill Number: 6109 2S SB	Title: Children and families	Agency: 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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
General Fund-State 001-1	0	972,000	972,000	972,000	0
Total \$	0	972,000	972,000	972,000	0

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.

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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 2SSB 6109 to SSB 6109

Sections 101(15) Amends RCW 13.34.030 and 2021 c 304 s 1 and 2021 c 67 s 2 to define "High-potency synthetic opioid" means an unprescribed synthetic opioid classified as a schedule II-controlled substance or controlled substance analog in chapter 69.50 RCW or by the pharmacy quality assurance commission in rule including, but not limited to, fentanyl. No change from Section 105 of SSB 6109.

Section 102 Amends RCW 13.34.050 and 2021 c 211 s 6 to state 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. 2SSB adds that the court shall give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids when considering whether a child can remain in the home during a pickup order. Language amending this RCW is removed from SSB 6109, defining "endangerment" as a parent knowingly or intentionally harming a child due to exposure or ingestion of high-potency synthetic opioids. The 2nd Substitute also removes language establishing certain considerations for the court.

Section 103(5)(ii)(B)(I) requires the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance related to high-potency synthetic opioids when considering whether placing or maintaining a child in shelter care is necessary to prevent imminent physical harm and whether a parent, guardian, or legal custodian's participation in prevention services would prevent or eliminate the need for the child's removal.

Section 104(6)(c) amends RCW 13.34.130 and 2019 c 172 s 12 to direct the court to give great weight to the lethality of high-potency synthetic opioids and public health guidance from the department of health related to high-potency synthetic opioids, including fentanyl, when deciding whether a manifest danger exists if a child remains in the home during a dispositional hearing.

Section 105 amends RCW 26.44.050 and 2021 c 211 s 5 to include a 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. Sec. 103 of SSB 6109 specified that "endangerment with high-potency synthetic opioids" is included in as a basis.

Section 106 amends RCW 26.44.056 and 2021 c 211 s 4 to include a 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. Sec. 104 of SSB 6109 specified that "endangerment with high-potency synthetic opioids" is included as a basis.

Section 107 Subject to appropriations, establishes at least one legal liaison position in each of its regions (at least 6 positions) to work with DCYF and the AGO to assist in preparing child abuse and neglect cases. This adds two more positions to a similar requirement in Section 210 of SSB 6109.

Section 201 requires DCYF, subject to appropriation, to- develop and implement a pilot program of contracted childcare 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. This was previously Section 205 of SSB 6109. The 2nd Substitute adds language allowing unused slots to be used for children whose parents screen in due to substances other than high-potency synthetic opioids. Section 201 of SSB 6109, requiring DCYF to develop and implement a pilot for third party safety planning participants and public health nurses in up to four department offices, is removed.

Section 202 requires DCYF, subject to appropriation, to develop and implement a pilot program to 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. This was previously Section 206 in SSB 6109. The 2nd Sub removes the requirement to provide up to 150 slots.

Section 204 Requires DCYF to provide funding and support for two pilot programs to implement an-evidence-based Comprehensive, intensive, in-home parenting services support model to serve children and families from birth to 18 years old who are in child welfare, children’s mental health, or juvenile justice systems. One pilot will serve families west and one pilot will serve families east of the crest of the Cascades. This section expires July 1, 2026. Section 204 of SSB 6109, which stipulates that child welfare workers may request a second trained individual accompany them on visits when there are concerns that violence could occur, is removed.

Section 207 of SSB 6109, which 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, is removed.

Section 208 of SSB 6109, which 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, is removed.

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 high-potency synthetic opioids. Increased involuntary removals could lead to an increase in child welfare workload and foster care placements.

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. $31 \text{ cases} / 18:1 \text{ ratio} = 2 \text{ additional}$. SSS3- $\$152,000 \times 2 = 304,000$ (\$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. $63 \text{ cases} / 18:1 \text{ ratio} = 3.50 \text{ SSS3 positions}$. SSS3- $\$152,000 \times 3.5 = \$517,000$ (\$452,000 GF-S). With 3.5 SSS3 will require 0.5 SSS5 FTE ($3.5 \text{ SSS3} / 6:1 \text{ ratio} = 0.5 \text{ SSS5 FTE}$). 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 \text{ months} \times \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 \text{ months} \times \1660.21 (per cap as of Nov 23) = \$964,000 (\$578,000 GF-S).

Section 204

DCYF is to provide funding and support for two pilot programs to implement an-evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and families from birth to 18 years old who are in child welfare, children's mental health, or juvenile justice systems. To meet the requirements of this section, DCYF would need to contract with a contractor in an east side and a west side location.

DCYF used the Intercept In-home Services Program as a model for two pilot sites. One pilot site in an Eastside location (Yakima County) at an estimated cost of \$480,000 and one pilot site in a westside location (Pierce County) at an estimated cost of \$492,000. Total estimated cost for both sites is \$972,000 GF-S per year for each of FY25 and FY26.

Early Learning

Section 201

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 202

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 107

This section is subject to appropriation and costs are INDETERMINATE. This section requires DCYF to establish at least six (6) legal liaisons (at least one per region) to work between social service specialist and AGOs office. For modeling purposes, a Social and Health Program Consultant 2 (SHPC2) cost was used.

6 FTE X \$146,000= \$875,000 (GF-S \$574,000).

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	972,000	972,000	972,000	0
Total \$			0	972,000	972,000	972,000	0

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					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		972,000	972,000	972,000	
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	972,000	972,000	972,000	0

In addition to the estimates above, there are additional indeterminate costs 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)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Children and Family Services (010)		972,000	972,000	972,000	
Total \$		972,000	972,000	972,000	

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.

Pilot programs would require new policy changes.