

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-145-1425 What are the duties and qualifications of an executive director or administrator? (1) ~~((You must have))~~ An executive director or administrator ((who is available telephonically during business hours and meets the qualifications to)) must:

(a) Manage the financial ((and)), administrative, and service operations of the ((program)) facility;

(b) Be available by telephone during the regularly scheduled business hours of the facility and in-person as needed;

(c) Ensure that the program complies with all relevant and applicable laws, specifically chapter 74.15 RCW, and the licensing rules ((contained)) in this chapter;

~~((e-Effectively))~~ (d) Communicate to the department the roles, expectations, and purposes of the program;

~~((d))~~ (e) Assume responsibility for health, safety, and well-being of children in ((your)) the care of their facility; ((and

~~(e-))~~ (f) Comply with any professional accreditation requirements that apply to the agency; and

(g) Work with representatives of other agencies.

(2) An executive director or administrator must ((have)):

(a) ~~((Appropriate education relevant to the specific program; and))~~ Meet the experience and education requirements of a program manager, detailed in WAC 110-145-1430(4), unless the facility employs another person as the program manager;

(b) ~~((Four years of successful))~~ Have experience with the same or similar duties ((and responsibilities for)). Such experience must be relevant to the administrative oversight((r)) and program and fiscal management of an agency as indicated in the agency's policies and procedures; and

(c) Meet additional duties and qualifications detailed in any written agreement between the agency and any state governmental entity, if applicable. If the requirements of this section conflict with the terms in a written and signed agreement, then the higher standard will apply.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-145-1430 What are the ~~((requirements))~~ duties and qualifications of ((an on-site)) a program manager? (1) ~~((On days your facility is operational, you must have an on-site))~~ A program manager must be on-site at ((your)) their facility ((during business hours when youth are present. Staffed residential facilities licensed for five or fewer are required to have an on-site program manager during business hours when youth are present if the focus of the program is behavioral and a child's behavior poses a risk. The on-site program manager must meet the qualifications to:)) according to written and agreed upon terms detailed in the agency's program manager position description, policies and procedures, and in any written and signed agreement between the agency and a state governmental entity, if applicable.

(2) A program manager must:

(a) Coordinate and oversee the facility's day-to-day (operations of the program) services provided to children or youth;

(b) Supervise (the) case (management) managers and direct care staff; (and)

(c) (Have the responsibility to) Monitor staff development and training;

(d) Ensure (the completion of) each child's or youth's treatment and care plan (of care and treatment.

(2) When youth are not present and the program manager is not on-site, he or she must be available by telephone) is executed and completed;

(e) Comply with any professional accreditation requirements that apply to the agency; and

(f) Be available by telephone during the agency's regularly scheduled business hours according to written and agreed upon terms detailed in the agency's program manager position description, policies and procedures, and any written and signed agreement between the agency and any governmental entity, if applicable.

(3) (An on-site) A program manager must have (one or more of the following):

(a) A (master's) bachelor's degree (in social services or a closely related field) from an accredited (school) college or university and one year of similar, full-time experience working with (children or youth) vulnerable populations;

(b) (A bachelor's) An associate's degree (in social services or a closely related field) from an accredited (school) college or university and two years of similar, full-time experience working with (children or youth) vulnerable populations; or

(c) (Five) Three years of (successful) similar, full-time experience (in a relevant field) working with (children or youth; and

(i) Supervisory abilities that promote effective staff performance; and

(ii) Relevant experience, training and demonstrated skills in each area that he or she will be managing or supervising) vulnerable populations.

(4) (An on-site) Program managers must not provide clinical oversight to case (management staff) managers unless (they) the program manager also meets the (supervision requirements) qualifications detailed in WAC ((388-145-1440(3)) 110-145-1440(2).

(5) A case (management staff) manager or another person with the equivalent training and experience of (an on-site) a program manager may (satisfy this requirement) serve as a program manager.

(6) (For overnight youth shelters, the required prior experience must be in working with adolescents.) A program manager must meet additional duties and qualifications detailed in any written and signed agreement between the agency and any governmental entity, if applicable. If the requirements of this section conflict with the terms in a written and signed agreement, then the higher standard will apply.

WAC 110-145-1440 What are the ((requirements)) duties and qualifications of a case ((management staff)) manager? (1) Case managers are required for facilities that provide medical or therapeutic services to children or youth. A case ((management staff will provide individualized case management and coordination of)) manager must coordinate and administer services ((. For emergency respite centers and resource and assessment centers, the on-site program manager may provide individualized case management and coordination of services so additional case managers are not required. The on-site program manager must meet qualifications in WAC 388-145-1430)) for individual children and youth served by the agency.

(2) ((Case management staff hired before January 10, 2015 must have five years of experience or a bachelor's degree in social services or closely related field from an accredited school.)) A case manager must have:

(a) A master's degree from an accredited college or university;

(b) A bachelor's degree from an accredited college or university and consult with a person with a master's degree at least one hour for every 40 hours of case management work; or

(c) Four years' full-time work experience directly working with, managing, or overseeing vulnerable populations in a related field and consult with a person with a master's degree at least one hour for every 40 hours of case management work.

(3) ((Case management staff hired after January 10, 2015 must have a master's or bachelor's degree in social services or a closely related field from an accredited school.

(4) Case management staff who has only a bachelor's degree must consult with a person with a master's degree in social services or closely related field. One hour of consultation must occur every twenty hours the employee works.

(5-)) Case managers must ((maintain)):

(a) Maintain training, experience, knowledge, and demonstrated skills in each area ((s/he)) they will be supervising;

(b) Maintain skills and understanding needed to effectively manage cases; and

(c) ((The ability to monitor staff development and training)) Comply with any professional accreditation requirements that apply to the agency.

((+6-You)) (4) An agency may use case ((management staff)) managers employed or provided by another agency if ((these staff meet)):

(a) The case manager meets the ((educational qualifications and you have)) experience and education requirements in this section; and

(b) There is a written agreement ((with the agency)) between the agencies describing the scope of services to be provided by the case manager.

(5) A case manager must meet additional duties and qualifications detailed in any written and signed agreement between the agency and any state governmental entity, if applicable. If the requirements of this section conflict with the terms in a written and signed agreement, then the higher standard will apply.

WAC 110-145-1445 What are the duties and qualifications of direct care staff? (1) ~~((Each))~~ Direct care staff must:

(a) ~~Be at least ((twenty-one))~~ 21 years of age, ~~((unless they meet the requirements))~~ except as provided for in subsection (2) of this section;

(b) ~~Have a high school diploma or ((high school or equivalency course of study (GED/HSEC)))~~ equivalent credential, for example, a GED or HSEC;

(c) ~~((Have one year of experience working directly with children. Two years of social services education may be substituted for the required experience;~~

~~(d-))~~ Have the skills and ability to ((work successfully with the special)) assist with the needs of children and youth in care; ~~((and~~

~~(e) Have effective communication and problem solving skills.))~~

(d) Meet at least one of the following criteria:

(i) Have at least six months of similar, full-time experience working directly with vulnerable populations; or

(ii) Be attending classes at an accredited college or university related to caring for vulnerable populations; and

(e) If applicable, meet additional duties and qualifications detailed in:

(i) Any professional accreditation requirements that apply to the agency; and

(ii) Any written and signed agreement between the agency and any state governmental entity. If the requirements of this section conflict with the terms in a written and signed agreement, then the higher standard will apply.

(2) ~~Direct care staff may be between ((eighteen))~~ 18 and ~~((twenty-one))~~ 21 years of age if ~~((they provide sufficient documentation demonstrating one or more of the following))~~ the direct care staff meet the requirements detailed in subsection (1)(b) through (e) of this section, and work:

(a) ~~((They are professionals licensed by the Washington department of health;))~~ At a facility licensed only to provide care for children younger than 13 years of age; or

(b) ~~((They have an associate of arts, the equivalent degree, or greater; or~~

~~(c) They are enrolled in an internship or practicum program with an accredited college or university.~~

~~(3) Direct care staff under twenty-one years of age and enrolled in an internship or practicum program must be supervised by staff at least twenty-one years of age.~~

~~(4) You))~~ At a facility licensed to provide care for children 13 years of age and older if the direct care staff person works at all times with at least one other staff person who:

(i) Is at least 21 years old;

(ii) Is on-site and readily available to help when needed; and

(iii) Has at least one year of similar, full-time experience working directly with vulnerable populations.

(3) An agency must maintain sufficient direct care staff who meet the education and training requirements defined in this chapter to ensure the health, safety, and well-being of children and youth in care.

~~((5) Case aides must meet the requirements for direct care staff.))~~ (4)(a) A facility licensed under this chapter that employs direct care staff persons, must have and follow a written policy that describes the duties, responsibilities, professional qualifications, and safety requirements for direct care staff persons.

(b) A policy under this section must be reviewed and approved by the department:

(i) After the effective date of subsection (3) of this section but before any newly hired direct care staff person provides services directly to children or youth on behalf of the facility; or

(ii) Prior to the agency renewing its license.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-145-1450 What are the duties and additional qualifications ~~((must the))~~ for crisis residential center direct care staff ~~((have))~~?

(1) Direct care staff at a crisis residential center (CRC) must care for, supervise, and manage the behavior of children or youth in care.

(2) At least ~~((fifty))~~ 50 percent of ~~((the))~~ direct care staff at a CRC must have completed:

(a) A bachelor's degree from an accredited college or university;
or

(b) At least two academic years' worth of credit hours from an accredited college or university and one year of full-time work ~~((in))~~ experience at a group residential program for adolescents ~~((and~~
~~(e)))~~.

(3) Direct care staff at a CRC under subsection (2) of this section may substitute experience for ~~((education))~~ educational requirements on a year-for-year basis.

~~((2) The remaining))~~ (4) Direct care staff ~~((at a CRC))~~ who do not meet the requirements detailed in subsection (2) of this section must have ~~((a minimum of))~~ a high school diploma or ~~((high school equivalency course of study (GED/HSEC))~~ equivalent credential, for example, a GED or HSEC and at least one of the following:

(a) ~~((One year of successful))~~ Six months of full-time experience working with youth in a group setting; or

(b) One year of ~~((successful))~~ experience as a foster parent ~~((and~~
~~(e)))~~ with placement of one or more children or youth in their

24-hour care.

(5) Direct care staff at a CRC under subsection (4) of this section may substitute two academic years' worth of credit hours from an accredited college ~~((may be substituted))~~ or university for the required experience under subsection (4)(a) and (b) of this section.

~~((3) The primary duties of the))~~ (6) If applicable, direct care staff at a crisis residential center ~~((are the care, supervision, and behavioral management of youth))~~ must meet additional duties and qualifications detailed in:

(a) Any professional accreditation requirements that apply to the agency; and

(b) Any written and signed agreement between the agency and any state governmental entity. If the requirements of this section con-

flict with the terms in a written and signed agreement, then the higher standard will apply.

(7)(a) A CRC licensed under this chapter that employees direct care staff persons must have and follow a written policy that describes the duties, responsibilities, professional qualifications, and safety requirements for direct care staff persons.

(b) A policy under this section must be reviewed and approved by the department:

(i) After the effective date of this subsection but before any newly hired direct care staff person provides services directly to children or youth on behalf of the facility; or

(ii) Prior to the agency renewing their license.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-145-1460 ((Do I need to employ)) What are the duties and qualifications for case management consultants ((at my facility))?

(1) ((You)) An agency must have case management consultants available as needed to work with ((your)) its staff, the children ((you serve)) and youth in care, and the ((children's)) families of children and youth in care. ((Other)) Additional consultants may be used ((for)) to support programs ((support)) and services.

(2) A case management consultant is responsible for:

(a) Reviewing treatment or case plans as appropriate;

(b) ((Providing one hour of consultation/supervision to)) Consulting with or supervising case ((management staff)) managers at least one hour for every ((twenty)) 40 hours ((a person works)) of case management work. Staff consultations ((shall)) must be documented and available ((to)) for staff ((on an as-needed basis)) to review as needed; ((and))

(c) Monitoring ((staff's)) and documenting the skill development ((in order to effectively manage their cases)) of staff; and

(d) Complying with any professional accreditation requirements that apply to the agency.

(3) Each case management consultant must have:

(a) A master's degree ((in social services or a closely related field)) from an accredited ((school)) college or university;

(b) The training, experience, knowledge, and demonstrated skills for each area ((in)) which ((he or she)) they will be supervising or advising;

(c) The ability to ensure staff develop their skills, are adequately trained, and have the understanding needed to effectively manage cases; and

(d) Knowledge of mandatory child abuse and neglect reporting requirements.

(4) A case management consultant((s)) may be ((hired as staff)) employed by an agency or operate under a contract ((and)).

(5) A case management consultant must meet or exceed the ((full)) professional competency requirements and academic training ((in)) re-quired by their ((respective)) professional field((s)).

((5) If you have) (6) In addition to the requirements in this section, a case management consultant((s)) working in an emergency

respite center(~~s, they~~) must (~~also~~) have training and experience in early childhood education.

(7) A case management consultant must meet any written and signed agreement between the agency and any state governmental entity, if applicable. If the requirements of this section conflict with the terms in a written and signed agreement, then the higher standard will apply.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-145-1475 What are the requirements for volunteers working directly with children and youth at my facility? (~~(1) These~~) Volunteers who do or may have access to children or youth must (meet the licensing requirements listed in this chapter, including meeting the qualifications for direct care staff and must):

~~((a))~~ (1) Be at least (~~twenty-one~~) 18 years of age (unless they are between eighteen and twenty-one years of age in an internship or practicum program as per WAC 388-145-1445; and

~~(b))~~;

(2) Be supervised by a staff person who:

(a) Is at least 21 years of age; and

(b) Has at least one year of similar, full-time experience working directly with vulnerable populations;

(3) Receive the facility's preservice training that addresses the roles, responsibilities, and duties of a volunteer, as well as the needs of the population of children in care who the volunteer will be working with;

(4) Not have unsupervised access to children in care unless the volunteer:

(a) Satisfies the preservice training requirements detailed in WAC 110-145-1490; and

(b) Meets the qualifications of a direct care staff person detailed in WAC 110-145-1445;

(5) Meet all other relevant requirements detailed in this chapter and Title 110 WAC, including background check requirements under chapter 110-04 WAC; and

(6) Meet additional duties and qualifications detailed in the agency's position description, policies and procedures, and any written agreement between the agency and any state governmental entity, if applicable.

AMENDATORY SECTION (Amending WSR 18-14-078, filed 6/29/18, effective 7/1/18)

WAC 110-145-1725 When do I need a treatment plan for children ((under my)) in care and what must be included in the plan? (1) (~~If you are providing care to~~) An agency must develop and implement an individualized written treatment plan for each child or youth in care if the agency:

(a) Provides care or services to children or youth who are under the care and authority of the department (~~(, and you have contracts or agreements)~~); and

(b) Has an agreement with the department to provide treatment or therapeutic services (~~(, you must assist in developing and implementing a written treatment plan for each child by the thirtieth day in care)~~).

(2) ~~((The))~~ Treatment plans required by this section must:

(a) Be developed and implemented on or before the child or youth's 30th day in care;

(b) Be approved by a case manager or consultant;

(c) Identify the service needs of the child (~~(,)~~) or youth and the child or youth's parent or guardian;

~~((b))~~ (d) Describe the treatment goals and strategies for achieving those goals;

~~((e))~~ (e) Include an ongoing account of the treatment received by the child or youth and others involved in the treatment plan, such as any group treatment or individual counseling; and

~~((d))~~ (f) Be updated at least quarterly to show the progress toward meeting goals and (~~(list))~~ identify barriers to the permanent plan.

~~(3) ((A master's level case management staff person or consultant must review and sign approving the child's treatment plan.))~~ An individual instruction and support plan required under WAC 388-826-0044 for youth receiving out-of-home services administered by the department of social and health services, developmental disabilities administration will satisfy the requirement in subsection (1) of this section.



**RULE-MAKING ORDER
PERMANENT RULE ONLY**

**CR-103P (December 2017)
(Implements RCW 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 03, 2022

TIME: 2:42 PM

WSR 22-17-004

Agency: Department of Children, Youth, and Families

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) 10/1/2022 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Expand the qualified pool of potential employees for **licensed foster care group care facilities** by amending the required education, prerequisite work experience, and other requirements as follows:

- Eliminate college degree concentration restriction of “social services or a closely related field.”
- Expand allowed work experience to include “caring for vulnerable populations.”
- Increase case management consulting time from 1:20 hours to 1:40 of case management work.
- For executive directors and administrators:
 - Align the required education and experience for executive directors with that of program managers, and
 - Allow more types acceptable work experience.
- For program managers:
 - Lower the college degree requirements and reduce the required work experience from four to three years for individuals who have no degree,
 - Allow employers to determine when program managers must be on-site, and
 - Require telephone availability when not on-site only during business hours.
- For case managers:
 - Allow a college degree equivalency.
- For all direct care staff:
 - Reduce the required work experience from one year to six months.
- For direct care staff who are not employed by a residential crisis center:
 - Create a work experience equivalency for students who are attending certain classes, and
 - Expand the criteria under which 18 – 21 year olds may work in licensed facilities.
- For volunteers:
 - Lower the minimum age from 21 to 18; and
 - Establish requirements for supervising volunteers.

The proposed rules require all positions to:

- Meet additional duties and qualifications detailed in any written agreement between their employing agency and any governmental entity, and
- Comply with any accreditation requirements that apply to their agencies.

Finally, the proposals clarify when treatment plans for children in care are needed and what they must contain, and require agencies to have and follow a written policy that describes the duties, responsibilities, and professional qualifications, and safety requirements for direct care staff.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 110-145-1425, 110-145-1430, 110-145-1440, 110-145-1445, 110-145-1450, 110-145-1460, 110-145-1475, and 110-145-1725.

Suspended:

Statutory authority for adoption: RCW 74.15.030

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 12-12-070 on May 27, 2022 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	<u>8</u>	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: August 3, 2022

Name: Brenda Villarreal

Title: DCYF Rules Coordinator

Signature:

