

**Referenda No. 101**

CERTIFICATION OF ENROLLMENT  
ENGROSSED SUBSTITUTE SENATE BILL 5599

68th Legislature  
2023 Regular Session

RECEIVED  
APR 24 2023  
Office of Secretary of State

Passed by the Senate April 19, 2023  
Yeas 29 Nays 20

\_\_\_\_\_  
President of the Senate

Passed by the House April 12, 2023  
Yeas 57 Nays 39

\_\_\_\_\_  
Speaker of the House of  
Representatives

Approved

\_\_\_\_\_  
Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5599** as passed by the Senate and the House of Representatives on the dates hereon set forth.

\_\_\_\_\_  
Secretary

FILED

Secretary of State  
State of Washington

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ENGROSSED SUBSTITUTE SENATE BILL 5599

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AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

State of Washington                      68th Legislature                      2023 Regular Session

By Senate Human Services (originally sponsored by Senators Lillas, C. Wilson, Dhingra, Lovelett, Nguyen, and Randall)

READ FIRST TIME 02/15/23.

1            AN ACT Relating to supporting youth and young adults seeking  
2 protected health care services; amending RCW 13.32A.082 and  
3 74.15.020; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**    The legislature finds that unsheltered  
6 homelessness for youth poses a serious threat to their health and  
7 safety. The Trevor project has found that one in three transgender  
8 youth report attempting suicide. Homelessness amongst transgender  
9 youth can further endanger an already at-risk population. The  
10 legislature further finds that barriers to accessing shelter can  
11 place a chilling effect on exiting unsheltered homelessness and  
12 therefore create additional risk and dangers for youth. Youth seeking  
13 certain medical services are especially at risk and vulnerable.  
14 Therefore, the legislature intends to remove barriers to accessing  
15 temporary, licensed shelter accommodations for youth seeking certain  
16 protected health care services.

17            **Sec. 2.**    RCW 13.32A.082 and 2013 c 4 s 2 are each amended to read  
18 as follows:

19            (1) (a) Except as provided in (b) of this subsection, any person,  
20 unlicensed youth shelter, or runaway and homeless youth program that,

1 without legal authorization, provides shelter to a minor and that  
2 knows at the time of providing the shelter that the minor is away  
3 from a lawfully prescribed residence or home without parental  
4 permission, shall promptly report the location of the child to the  
5 parent, the law enforcement agency of the jurisdiction in which the  
6 person lives, or the department.

7 (b) (i) If a licensed overnight youth shelter, or another licensed  
8 organization with a stated mission to provide services to homeless or  
9 runaway youth and their families, shelters a child and knows at the  
10 time of providing the shelter that the child is away from a lawfully  
11 prescribed residence or home without parental permission, it must  
12 contact the youth's parent within seventy-two hours, but preferably  
13 within twenty-four hours, following the time that the youth is  
14 admitted to the shelter or other licensed organization's program. The  
15 notification must include the whereabouts of the youth, a description  
16 of the youth's physical and emotional condition, and the  
17 circumstances surrounding the youth's contact with the shelter or  
18 organization. If there are compelling reasons not to notify the  
19 parent, the shelter or organization must instead notify the  
20 department.

21 (ii) At least once every eight hours after learning that a youth  
22 receiving services or shelter under this section is away from home  
23 without permission, the shelter or organization staff must consult  
24 the information that the Washington state patrol makes publicly  
25 available under RCW 43.43.510(2). If the youth is publicly listed as  
26 missing, the shelter or organization must immediately notify the  
27 department of its contact with the youth listed as missing. The  
28 notification must include a description of the minor's physical and  
29 emotional condition and the circumstances surrounding the youth's  
30 contact with the shelter or organization.

31 (c) Reports required under this section may be made by telephone  
32 or any other reasonable means.

33 (2) Unless the context clearly requires otherwise, the  
34 definitions in this subsection apply throughout this section.

35 (a) "Shelter" means the person's home or any structure over which  
36 the person has any control.

37 (b) "Promptly report" means to report within eight hours after  
38 the person has knowledge that the minor is away from a lawfully  
39 prescribed residence or home without parental permission.

1 (c) "Compelling reasons" include, but are not limited to ((7  
2 circumstances));

3 (i) Circumstances that indicate that notifying the parent or  
4 legal guardian will subject the minor to abuse or neglect as defined  
5 in RCW 26.44.020; or

6 (ii) When a minor is seeking or receiving protected health care  
7 services.

8 (d) "Protected health care services" means gender affirming  
9 treatment as defined in RCW 74.09.675 and reproductive health care  
10 services as defined in RCW 74.09.875.

11 (3) (a) When the department receives a report under subsection (1)  
12 of this section, it shall make a good faith attempt to notify the  
13 parent that a report has been received and offer services designed to  
14 resolve the conflict and accomplish a reunification of the family.

15 (b) When the department receives a report under subsection (1) of  
16 this section for a minor who is seeking or receiving protected health  
17 care services, it shall:

18 (i) Offer to make referrals on behalf of the minor for  
19 appropriate behavioral health services; and

20 (ii) Offer services designed to resolve the conflict and  
21 accomplish a reunification of the family.

22 (4) Nothing in this section prohibits any person, unlicensed  
23 youth shelter, or runaway and homeless youth program from immediately  
24 reporting the identity and location of any minor who is away from a  
25 lawfully prescribed residence or home without parental permission  
26 more promptly than required under this section.

27 (5) Nothing in this section limits a person's duty to report  
28 child abuse or neglect as required by RCW 26.44.030 or removes the  
29 requirement that the law enforcement agency of the jurisdiction in  
30 which the person lives be notified.

31 **Sec. 3.** RCW 74.15.020 and 2021 c 176 s 5239 are each amended to  
32 read as follows:

33 The definitions in this section apply throughout this chapter and  
34 RCW 74.13.031 unless the context clearly requires otherwise.

35 (1) "Agency" means any person, firm, partnership, association,  
36 corporation, or facility which receives children, expectant mothers,  
37 or persons with developmental disabilities for control, care, or  
38 maintenance outside their own homes, or which places, arranges the  
39 placement of, or assists in the placement of children, expectant

1 mothers, or persons with developmental disabilities for foster care  
2 or placement of children for adoption, and shall include the  
3 following irrespective of whether there is compensation to the agency  
4 or to the children, expectant mothers, or persons with developmental  
5 disabilities for services rendered:

6 (a) "Child-placing agency" means an agency which places a child  
7 or children for temporary care, continued care, or for adoption;

8 (b) "Community facility" means a group care facility operated for  
9 the care of juveniles committed to the department under RCW  
10 13.40.185. A county detention facility that houses juveniles  
11 committed to the department under RCW 13.40.185 pursuant to a  
12 contract with the department is not a community facility;

13 (c) "Crisis residential center" means an agency which is a  
14 temporary protective residential facility operated to perform the  
15 duties specified in chapter 13.32A RCW, in the manner provided in RCW  
16 43.185C.295 through 43.185C.310;

17 (d) "Emergency respite center" is an agency that may be commonly  
18 known as a crisis nursery, that provides emergency and crisis care  
19 for up to seventy-two hours to children who have been admitted by  
20 their parents or guardians to prevent abuse or neglect. Emergency  
21 respite centers may operate for up to twenty-four hours a day, and  
22 for up to seven days a week. Emergency respite centers may provide  
23 care for children ages birth through seventeen, and for persons  
24 eighteen through twenty with developmental disabilities who are  
25 admitted with a sibling or siblings through age seventeen. Emergency  
26 respite centers may not substitute for crisis residential centers or  
27 HOPE centers, or any other services defined under this section, and  
28 may not substitute for services which are required under chapter  
29 13.32A or 13.34 RCW;

30 (e) "Foster family home" means an agency which regularly provides  
31 care on a twenty-four hour basis to one or more children, expectant  
32 mothers, or persons with developmental disabilities in the family  
33 abode of the person or persons under whose direct care and  
34 supervision the child, expectant mother, or person with a  
35 developmental disability is placed;

36 (f) "Group-care facility" means an agency, other than a foster  
37 family home, which is maintained and operated for the care of a group  
38 of children on a twenty-four hour basis. "Group care facility"  
39 includes but is not limited to:

1 (i) Qualified residential treatment programs as defined in RCW  
2 13.34.030;

3 (ii) Facilities specializing in providing prenatal, postpartum,  
4 or parenting supports for youth; and

5 (iii) Facilities providing high quality residential care and  
6 supportive services to children who are, or who are at risk of  
7 becoming, victims of sex trafficking;

8 (g) "HOPE center" means an agency licensed by the secretary to  
9 provide temporary residential placement and other services to street  
10 youth. A street youth may remain in a HOPE center for thirty days  
11 while services are arranged and permanent placement is coordinated.  
12 No street youth may stay longer than thirty days unless approved by  
13 the department and any additional days approved by the department  
14 must be based on the unavailability of a long-term placement option.  
15 A street youth whose parent wants him or her returned to home may  
16 remain in a HOPE center until his or her parent arranges return of  
17 the youth, not longer. All other street youth must have court  
18 approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center  
19 up to thirty days;

20 (h) "Maternity service" means an agency which provides or  
21 arranges for care or services to expectant mothers, before or during  
22 confinement, or which provides care as needed to mothers and their  
23 infants after confinement;

24 (i) "Resource and assessment center" means an agency that  
25 provides short-term emergency and crisis care for a period up to  
26 seventy-two hours, excluding Saturdays, Sundays, and holidays to  
27 children who have been removed from their parent's or guardian's care  
28 by child protective services or law enforcement;

29 (j) "Responsible living skills program" means an agency licensed  
30 by the secretary that provides residential and transitional living  
31 services to persons ages sixteen to eighteen who are dependent under  
32 chapter 13.34 RCW and who have been unable to live in his or her  
33 legally authorized residence and, as a result, the minor lived  
34 outdoors or in another unsafe location not intended for occupancy by  
35 the minor. Dependent minors ages fourteen and fifteen may be eligible  
36 if no other placement alternative is available and the department  
37 approves the placement;

38 (k) "Service provider" means the entity that operates a community  
39 facility.

40 (2) "Agency" shall not include the following:

1 (a) Persons related to the child, expectant mother, or person  
2 with developmental disability in the following ways:

3 (i) Any blood relative, including those of half-blood, and  
4 including first cousins, second cousins, nephews or nieces, and  
5 persons of preceding generations as denoted by prefixes of grand,  
6 great, or great-great;

7 (ii) Stepfather, stepmother, stepbrother, and stepsister;

8 (iii) A person who legally adopts a child or the child's parent  
9 as well as the natural and other legally adopted children of such  
10 persons, and other relatives of the adoptive parents in accordance  
11 with state law;

12 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of  
13 this subsection (2), even after the marriage is terminated;

14 (v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this  
15 subsection (2), of any half sibling of the child; or

16 (vi) Extended family members, as defined by the law or custom of  
17 the Indian child's tribe or, in the absence of such law or custom, a  
18 person who has reached the age of eighteen and who is the Indian  
19 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
20 or sister-in-law, niece or nephew, first or second cousin, or  
21 stepparent who provides care in the family abode on a twenty-four-  
22 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

23 (b) Persons who are legal guardians of the child, expectant  
24 mother, or persons with developmental disabilities;

25 (c) Persons who care for a neighbor's or friend's child or  
26 children, with or without compensation, where the parent and person  
27 providing care on a twenty-four-hour basis have agreed to the  
28 placement in writing and the state is not providing any payment for  
29 the care;

30 (d) A person, partnership, corporation, or other entity that  
31 provides placement or similar services to exchange students or  
32 international student exchange visitors or persons who have the care  
33 of an exchange student in their home;

34 (e) A person, partnership, corporation, or other entity that  
35 provides placement or similar services to international children who  
36 have entered the country by obtaining visas that meet the criteria  
37 for medical care as established by the United States citizenship and  
38 immigration services, or persons who have the care of such an  
39 international child in their home;



1 (f) Schools, including boarding schools, which are engaged  
2 primarily in education, operate on a definite school year schedule,  
3 follow a stated academic curriculum, accept only school-age children  
4 and do not accept custody of children;

5 (g) Hospitals licensed pursuant to chapter 70.41 RCW when  
6 performing functions defined in chapter 70.41 RCW, nursing homes  
7 licensed under chapter 18.51 RCW and assisted living facilities  
8 licensed under chapter 18.20 RCW;

9 (h) Licensed physicians or lawyers;

10 (i) Facilities approved and certified under chapter 71A.22 RCW;

11 (j) Any agency having been in operation in this state ten years  
12 prior to June 8, 1967, and not seeking or accepting moneys or  
13 assistance from any state or federal agency, and is supported in part  
14 by an endowment or trust fund;

15 (k) Persons who have a child in their home for purposes of  
16 adoption, if the child was placed in such home by a licensed child-  
17 placing agency, an authorized public or tribal agency or court or if  
18 a replacement report has been filed under chapter 26.33 RCW and the  
19 placement has been approved by the court;

20 (l) An agency operated by any unit of local, state, or federal  
21 government or an agency licensed by an Indian tribe pursuant to RCW  
22 74.15.190;

23 (m) A maximum or medium security program for juvenile offenders  
24 operated by or under contract with the department;

25 (n) An agency located on a federal military reservation, except  
26 where the military authorities request that such agency be subject to  
27 the licensing requirements of this chapter;

28 (o)(i) A host home program, and host home, operated by a tax  
29 exempt organization for youth not in the care of or receiving  
30 services from the department except as provided in subsection  
31 (2)(o)(iii) of this section, if that program: (A) Recruits and  
32 screens potential homes in the program, including performing  
33 background checks on individuals over the age of eighteen residing in  
34 the home through the Washington state patrol or equivalent law  
35 enforcement agency and performing physical inspections of the home;  
36 (B) screens and provides case management services to youth in the  
37 program; (C) obtains a notarized permission slip or limited power of  
38 attorney from the parent or legal guardian of the youth authorizing  
39 the youth to participate in the program and the authorization is  
40 updated every six months when a youth remains in a host home longer

1 than six months, unless there is a compelling reason to not contact  
2 the parent or guardian; (D) obtains insurance for the program through  
3 an insurance provider authorized under Title 48 RCW; (E) provides  
4 mandatory reporter and confidentiality training; and (F) registers  
5 with the secretary of state under RCW 74.15.315.

6 (ii) If a host home program serves a child without parental  
7 authorization who is seeking or receiving protected health care  
8 services, the host home program must:

9 (A) Report to the department within 72 hours of the youth's  
10 participation in the program and following this report the department  
11 shall make a good faith attempt to notify the parent of this report  
12 and offer services designed to resolve the conflict and accomplish a  
13 reunification of the family;

14 (B) Report to the department the youth's participation in the  
15 host home program at least once every month when the youth remains in  
16 the host home longer than one month; and

17 (C) Provide case management outside of the host home and away  
18 from any individuals residing in the home at least once per month.

19 (iii) A host home program and host home that meets the other  
20 requirements of subsection (2)(o) of this section may provide care  
21 for a youth who is receiving services from the department if the  
22 youth is:

23 (A) Not subject to a dependency proceeding under chapter 13.34  
24 RCW; and

25 (B) Seeking or receiving protected health care services.

26 (iv) For purposes of this section, ((a—"host)) the following  
27 definitions apply:

28 (A) "Host home" ((is)) means a private home that volunteers to  
29 host youth in need of temporary placement that is associated with a  
30 host home program.

31 ~~((iii))~~ For purposes of this section, a "host) (B) "Host home  
32 program" is a program that provides support to individual host homes  
33 and meets the requirements of (o)(i) of this subsection.

34 ~~((iv))~~ (C) "Compelling reason" means the youth is in the host  
35 home or seeking placement in a host home while seeking or receiving  
36 protected health care services.

37 (D) "Protected health care services" means gender affirming  
38 treatment as defined in RCW 74.09.675 and reproductive health care  
39 services as defined in RCW 74.09.875.

1       (v) Any host home program that receives local, state, or  
2 government funding shall report the following information to the  
3 office of homeless youth prevention and protection programs annually  
4 by December 1st of each year: The number of children the program  
5 served, why the child was placed with a host home, and where the  
6 child went after leaving the host home, including but not limited to  
7 returning to the parents, running away, reaching the age of majority,  
8 or becoming a dependent of the state;

9       (p) Receiving centers as defined in RCW 7.68.380.

10       (3) "Department" means the department of children, youth, and  
11 families.

12       (4) "Juvenile" means a person under the age of twenty-one who has  
13 been sentenced to a term of confinement under the supervision of the  
14 department under RCW 13.40.185.

15       (5) "Performance-based contracts" or "contracting" means the  
16 structuring of all aspects of the procurement of services around the  
17 purpose of the work to be performed and the desired results with the  
18 contract requirements set forth in clear, specific, and objective  
19 terms with measurable outcomes. Contracts may also include provisions  
20 that link the performance of the contractor to the level and timing  
21 of the reimbursement.

22       (6) "Probationary license" means a license issued as a  
23 disciplinary measure to an agency that has previously been issued a  
24 full license but is out of compliance with licensing standards.

25       (7) "Requirement" means any rule, regulation, or standard of care  
26 to be maintained by an agency.

27       (8) "Secretary" means the secretary of the department.

28       (9) "Street youth" means a person under the age of eighteen who  
29 lives outdoors or in another unsafe location not intended for  
30 occupancy by the minor and who is not residing with his or her parent  
31 or at his or her legally authorized residence.

32       (10) "Transitional living services" means at a minimum, to the  
33 extent funds are available, the following:

34       (a) Educational services, including basic literacy and  
35 computational skills training, either in local alternative or public  
36 high schools or in a high school equivalency program that leads to  
37 obtaining a high school equivalency degree;

38       (b) Assistance and counseling related to obtaining vocational  
39 training or higher education, job readiness, job search assistance,  
40 and placement programs;

1 (c) Counseling and instruction in life skills such as money  
2 management, home management, consumer skills, parenting, health care,  
3 access to community resources, and transportation and housing  
4 options;

5 (d) Individual and group counseling; and

6 (e) Establishing networks with federal agencies and state and  
7 local organizations such as the United States department of labor,  
8 employment and training administration programs including the  
9 workforce innovation and opportunity act which administers private  
10 industry councils and the job corps; vocational rehabilitation; and  
11 volunteer programs.

12 NEW SECTION. **Sec. 4.** (1) The office of homeless youth  
13 prevention and protection programs shall contract with an outside  
14 entity to:

15 (a) Gather data regarding the number of unsheltered homeless  
16 youth under age 18 in Washington state; and

17 (b) Develop recommendations for supporting unsheltered homeless  
18 youth under age 18 in Washington state.

19 (2) By July 1, 2024, and in compliance with RCW 43.01.036, the  
20 office of homeless youth prevention and protection programs shall  
21 submit the information and recommendations described in subsection  
22 (1) of this section to the appropriate committees of the legislature.

--- END ---