

**Note:**

- **WAC 110-148-1415 Where can I get a child's health history? is being repealed and the information added to this section.**

**New Definition:**

- **IEP stands for individual education program and will be included in the definitions.**
- **"Well-being file" means a compilation of children's or youth's records related to their care and services while in the licensee's care.**

**110-148-1405**

**Children's and youth's well-being files.**

Foster homes must meet the following requirements for children's and youth's records:

(1) Keep the following information for children's and youth's well-being files available in the home:

- (a) The child's or youth's:
    - (i) Name;
    - (ii) Birth date; and
    - (iii) Legal status;
  - (b) Name and phone number of their caseworker;
  - (c) Contact information for the individuals to be contacted in case of emergency, including their:
    - (i) Name;
    - (ii) Address; and
    - (iii) Phone number;
  - (d) Information on their specific cultural needs, including cultural plans for Indian children with input from the child's or youth's tribe, if appropriate;
  - (e) A written list of all their prescription medications;
  - (f) Name and contact information for their dental care provider;
  - (g) Immunizations records;
  - (h) Their most current school records, including any of the following as applicable:
    - (i) Report cards;
    - (ii) School pictures; and
    - (iii) 504 plans and IEPs;
  - (i) Special instructions including supervision requirements and suggestions for managing problem behavior;
  - (j) Inventory of their personal belongings;
  - (k) Written consent for providing medical care and emergency surgery, as authorized by a court order; and
  - (l) List of individuals authorized to take children and youth out of the home, including their:
    - (i) Name;
    - (ii) Address; and
    - (iii) Phone number.
- (2) Provide copies of the records listed in subsection (1) to the caseworker as they are updated;
- (3) Get and keep a copy of the following from the department caseworker:

- (a) Court orders or voluntary placement agreements that give approval to place the child or youth; and
- (b) Children's or youth's case plans.
- (c) Their medical history including:
- (i) Any clinical or medical diagnoses or special health problems and any related treatment plans;
  - (ii) The name of all their licensed health care providers;
  - (iii) The type of medical coverage and provider under which they are covered;
  - (iv) The date of their last physical exam;
  - (v) The date of their last dental exam; and
  - (vi) Any allergies;
- (d) Their mental health history, including any of the following current issues as applicable:
- (i) Mental health disorders;
  - (ii) Chemical dependency issues;
  - (iii) Behavioral issues; and
  - (iv) Medical and psychological reports;
- (e) Their individualized family service plan; and
- (f) Their visitation plan;
- (4) Turn reports and information about children, youth, or their family over at the end of placement to either:
- (a) The department, tribal, or CPA caseworker; or
  - (b) Their next placement if directed by the department, tribal, or CPA caseworker.

**Note:**

- **DOH stands for the Department of Health and will be added to the definitions**
- **DSHS stands for the Department of Social and Health Services and will be added to the definitions.**
- **We are seeking legal guidance about whether the term "parents" can include "guardians" so we do not need to say "parents or guardians."**

110-148-1410

**Confidentiality of children's, youth's, and their families' information.**

- (1) Foster homes must comply with the following when sharing information about children, youth, and their families

(a) Keep information about children, youth, and their families confidential and only share their information, including their well-being files to the extent necessary to conduct one's official duties with:

(i) Representatives of:

(A) The department;

and

(B) The office of the family and children's ombuds;

(ii) Their assigned CPA team;

(iii) Their tribal social services worker;

(iv) Treatment and service providers identified in their case plan or with permission of their department caseworker; and

(v) Their guardian ad litem;

(vi) Their court-appointed special advocate and attorney.

(2) Foster parents may follow guidance from the department caseworker for sharing information with children's or youth's:

(a) Parents;

(b) Teachers;

(c) Counselors;

(d) Doctors; and

(e) Others involved in their case plan.(3) CPAs and the department must share information with foster parents about children, youth, and their families related to their case plan in order to meet their needs.

## 110-148-1420

### Reporting incidents.

Foster parents must meet the following requirements when reporting the following incidents involving children and youth in their care:

(1) To department intake and the child's or youth's caseworker immediately and in no instance later than 48 hours after the following type of incidents:

(a) Death;

(b) Injuries or health conditions that carry high risk of mortality or long-term negative impacts on an individual's daily function or quality of life;

(c) Psychiatric care that requires hospital admission;

(d) Any time they suspect physical or sexual abuse, neglect, or exploitation of a child or youth as required under chapter 26.44 RCW;

(e) Sexual contact, as defined in RCW 9A.44.010, between two or more children or youth;

(f) Disclosure by a child or youth of sexual or physical abuse;

- (g) Suicidal or homicidal thoughts, gestures, and attempts;
  - (h) Drug or alcohol use in the facility by a child or youth; and
  - (i) Use of prohibited physical restraints for behavior management;
- (2) The LD licensor and the child's or youth's caseworker as soon as possible and in no instance later than 48 hours after the following types of incidents:
- (a) A child's or youth's self-inflicted physical injury not intended as a suicide attempt that requires off-site medical treatment;
  - (b) Use of physical restraint alleged to have been excessive or improperly applied as outlined in WAC 110-148-1620;
  - (c) Physical assault between two or more children or youth that results in injury;
  - (d) Physical assaults involving foster parents, employees, volunteers, or other adults by a child or youth in care that results in injury;
  - (e) Any medication given or consumed incorrectly;
  - (f) Missed medication that requires off-site medical attention;
  - (g) Discovery of illegal or dangerous possessions on the premises as defined by the foster home;
  - (h) Drug or alcohol use by a child or youth in care off-site;
  - (i) Unexpected health problems outside the usual range of reactions caused by medications that do not require off-site medical attention;
  - (j) Any off-site treatment for emergency medical or emergency psychiatric care;
  - (k) Any inappropriate sexual behavior by or toward a child or youth;
  - (l) Significant property damage on the licensed premises caused by children or youth;
- or
- (m) Suspected or known gang recruitment of, or activity by a child or youth.

#### **110-148-1430**

#### **Reporting other circumstances.**

- (1) Foster homes must report any changes in the original licensing application to the LD licensor, including but not limited to any of the following:
- (a) Before moving to a new location as outlined in [RCW 74.15.100](#). Foster homes may request a continuation of the current license at the new location before or up to 30 days after moving to a new location;
  - (b) The following changes immediately but no more than 24 hours after occurrence:
    - (i) Mailing address or phone number;
    - (ii) Structure of the home or property from events that cause damage or from remodeling; or
    - (iii) Any significant changes regarding household members or the premises including:
      - (A) A change in the foster parents' marital status;

- (B) Foster parents' separation;
  - (iv) An arrest of anyone living on the premises or who has access to children and youth;
  - (v) The death of immediate family members living in the home;
  - (vi) Anyone moving in or out of the premises;
  - (vii) Any serious physical or mental incapacity that may interfere with the care of children and youth; and
  - (viii) Any changes in a medical condition, including changes in medications, that impact foster parents' ability to care for children;
- (c) The following changes within 24 to 48 hours after occurrence:
  - (i) A change in foster parents' employment or significant decrease in income;and
  - (ii) Adoption of children or youth.
- (2) The department or CPA may require a new assessment of the home, which may result in the issuance of a license.

**110-148-1435**  
**Travel with children or youth.**

Foster parents must get written approval from children's or youth's department, tribal, or CPA caseworker, prior to any travel over 72 hours or any out-of-country travel.

**110-148-1440**  
**Home and property requirements.**

Foster homes must:

- (1) Be located at the particular, fixed location listed on the license as outlined in [RCW 74.15.100](#).
- (2) Have:
  - (a) Adequate indoor and outdoor space;
  - (b) Ventilation;
  - (c) Toilet and bathing facilities;
  - (d) Light;
  - (e) Heat that maintains the health and comfort of all members of the household;
  - (f) A kitchen with maintained and working equipment including at least the following:
    - (i) Sink;
    - (ii) Refrigerator;
    - (iii) Stove; and
    - (iv) Oven; and

- (g) Either:
  - (i) Adequate laundry and drying equipment; or
  - (ii) Other arrangements for laundry on a regular basis;
- (3) Keep:
  - (a) The home, property, and furnishings in a condition that is:
    - (i) Safe and sanitary; and
    - (ii) Adhering to the Environmental Protection Agency (EPA) standards, use the least toxic methods as appropriate to prevent and control pests, such as rodents, flies, cockroaches, fleas, and other insects;
  - (4) Store dangerous chemicals in a place that is not accessible to children ages birth through six years old or others who might be endangered based on their developmental capabilities. This includes but is not limited to:
    - (a) Cleaning supplies;
    - (b) Toxic or poisonous substances;
    - (c) Aerosols; and
    - (d) Other items with warning labels;
  - (5) Clearly label containers when they are filled with toxic substances from a stock supply;
  - (6) Store toxic substances separately from food items;
  - (7) Provide tamper-proof or tamper-resistant electrical outlet covers or blank covers in areas that are accessible to children birth through five years old or who might be otherwise endangered by exposed outlets;
  - (8) Have a phone that works at all times with reliable reception and a backup power source while children are present in the home and that:
    - (a) Allows individuals calling the facility to leave a message at all times. Foster parents must give children and youth their phone messages no later than 24 hours from when the message was left or when the child or youth returns to the home; and
    - (b) Children and youth are able to use privately per WAC 110-148-1540
  - (9) Post the home's address and emergency numbers, suicide and crisis hotline phone numbers, the Washington state poison control number (1-800-222-1222), and the physical address of the facility in an easily visible location near the phone;
  - (10) Use doors that are easy to open from the inside and outside in all areas of the home that are occupied, including closets, bathrooms, and bedrooms;
  - (11) Provide easy access to the outside in case of an emergency;
  - (12) Develop a plan to address hazardous conditions on the premises with the LD licensor; and
  - (13) Follow:
    - (a) Generally accepted health standards for the storage and preparation of food; and
    - (b) All local and state regulations such as zoning regulations, local building codes, and fire codes. The department may require proof that the foster home complies with local regulations.

#### **110-148-1445**

#### **Water, garbage, and sewer.**

- (1) Foster homes must:
  - (a) Maintain:
    - (i) Adequate garbage facilities;
    - (ii) Temperature of running water at or below 120 degrees. If foster parents do not have control over the main water temperature, they must prevent children from being burned or scalded by hot water;

- (b) Have adequate sewage facilities that meet one of the following:
  - (i) Is connected to a public sewage system;
  - (ii) A functioning septic system; or
  - (iii) An alternative system that is approved by DOH or the tribal authority;
- (c) Have access to either:
  - (i) Public water supply; or
  - (ii) Private water supply that has been tested:
    - (A) By:
      - (I) The local health district; or
      - (II) A private water-testing laboratory approved by the Washington state department of ecology or tribal government; and
    - (B) At the following times:
      - (I) Licensing;
      - (II) Relicensing; and
      - (III) Any time the department or CPA deems necessary.

(2) Foster homes may request an exemption to the requirements in this section from the department if they develop a plan to demonstrate how they can provide for the safety and well-being of children and youth in care.

**110-148-1450**

**Care for infants and toddlers.**

- Foster homes must meet the following requirements when caring for infants and toddlers in the home:
- (1) Either:
    - (a) Disinfect diaper changing areas and toilet training equipment between each use; or
    - (b) Use a nonabsorbent, disposable covering that discarded after each use;
  - (2) Require all caregivers to follow DOH handwashing guidelines for diaper changing; and
  - (3) Prohibit use of wheeled baby walkers for infants and toddlers.

**110-148-1455**

**Swimming pools and bodies of water.**

Foster parents must keep children and youth in care safe around bodies of water by doing the following:

- (1) Prevent access to all swimming pools and other bodies of water with a nonscalable barrier that:
  - (a) Measures at least four foot high; and
  - (b) Restricts access with a safety device such as a lock that has been approved by the department;
- (2) Lock hot tubs when not in use;

(3) Meet one of the following requirements for all potential water hazards, including wading pools, either:

(a) Make them inaccessible to children and youth when not in use; or

(b) Empty them after each use. **Swimming pools that cannot be emptied must have a working pump and filtering system;**

(4) **Equip swimming pools with life saving devices, such as ring buoys;**

(5) Verify and document that all swimming pools and other bodies of water comply with state and local regulations;

(6) Create a site-specific supervision plan with the LD licenser for the bodies of water based on the development level and behaviors of the children and youth in the home.

**New Definition:**

- **"Developmental capabilities" means the combined physical, cognitive, social, emotional, spiritual, and communication capabilities of children or youth that evolve over time.**

**110-148-1460**

**Natural disaster and emergency preparation.**

Foster homes must:

(1) Develop and follow written emergency plans using the form from the department that includes:

(a) At a minimum, responses to the following types of emergencies:

(i) Hostile individuals on the premises;

(ii) Fires;

(iii) Natural disasters; and

(iv) Other emergencies;

(b) A written evacuation plan that:

(i) Reflects the developmental capabilities of the children and youth in care; and

(ii) Includes:

(A) Action to be taken:

(I) By the individuals discovering the emergency while waiting for the emergency responders; and

(II) Following the emergency;

(B) Evacuation of the building in a manner that is safe for children, youth, and other members of the household; and

(C) An evacuation floor plan, identifying the location of:

(I) Exit doors and windows;

(II) Fire extinguishers; and

(III) Smoke detectors and carbon monoxide detectors, unless the home has an integrated fire suppression system that includes both smoke detectors and carbon monoxide detectors;

(c) An emergency contact plan regarding the whereabouts and well-being of the children following the evacuation;

(d) For natural disasters, how the home will maintain necessary supplies including but not limited to:

(i) Food;

(ii) Water; and



(iii) Medications; and

(2) Share this plan with the LD licensor, including any updates to the plan as circumstances in the home change, such as if the developmental capabilities of children and youth living in the home change;

(3) Store the plans in a manner that is readily available;

(4) Educate every child and youth about the emergency plans upon placement;

(5) Practice and document the emergency response plans at least quarterly with the children and youth in care appropriate to their developmental capabilities.

Review the evacuation plans with children and youth in care;

(6) Post a copy of the evacuation floor plan in a prominent place; and

(8) Notify the department regarding the whereabouts and well-being of the children following an emergency.



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