

Foster Care WAC Set #3

Fire and safety 110-148-1465

(1) The department may require an inspection of the home by WSP/FPB or the local fire authority if:

~~(a) Will determine that reasonable fire safety standards are being followed in the home based on the children and youth in the home.~~

~~(b) May require the home to receive an inspection by WSP/FPB or the local fire authority if:~~

~~(a) There are any concerns identified about fire safety; or~~

~~(b) As required by local ordinances or WSP/FPB.~~

(2) Foster homes must demonstrate how they will protect children and youth from fire by complying with the following fire safety requirements:

(a) Meet all state and local fire codes as outlined in WAC 212-12-005;

(b) Have:

(i) A plan that is approved by the department that allows ~~A way for~~ children and youth to escape from every floor in the home. This may include having a functional fire ladder available from upper stories;

(ii) Easy access to all rooms in the home in case of emergency;

(iii) Windows that open to the outside and are large enough for a rescue person to enter and exit wearing rescue gear, unless the building or structure was previously approved by the local fire marshal or building official with jurisdiction;

(iv) Smoke detectors in working condition installed and maintained according to manufacturer's specifications in the following locations:

(A) Both inside and outside of all sleeping areas;

(B) On each story of the home, including the basement; and

(C) In all play areas;

(v) At least one carbon monoxide detector in the following locations:

(A) On each level of occupancy in the home; and

(B) Near each sleeping area;

~~(vi) At least one approved 2A10BC-rated five pound or larger all-purpose fire extinguisher that is readily available and maintained and serviced according to manufacturer's specifications at all times; and~~

~~(vii) Barriers that are in place at any of the following locations when in use at all fireplaces, wood stoves, and other heating systems if the home is licensed for children age birth through five years old:~~

~~(A) Fireplaces;~~

~~(B) Wood stoves; and~~

~~(C) Any other heating system; and~~

(viii) The address clearly visible on the home or mailbox so that emergency personnel can easily locate the home;

(c) Allow for emergency vehicles to have easy access to the home; and

(d) Not leave open-flame devices unattended or use them incorrectly.

Commented [KS1]: Note: There is no significance to the different color of text/track changes in this document.

"Washington state patrol fire protection bureau (WSP/FPB)" means the Washington state fire marshal. This will be added to the definitions.

Commented [EF2]: Intent of WAC

- Individuals know how to easily escape from home or be rescued when in an emergency.
- The home has fire safety measures and is equipped with working fire safety devices.
- Home and property is accessible to emergency responders.

Note for REP: (1)(a) is being removed because the intent is to develop a plan which allows for flexibility based on the home and the needs of children and youth in care.

Commented [EF3]: Feedback Received:

(2)(b)(vi) - Why 2A10BC-rated fire extinguisher?

Research:

- National Fire Protection Association recommends 2A:10BC in homes.
- WA State Fire Marshal requires group care facilities and child care centers to have 2A:10BC. WA State Fire Marshal does not regulate residential homes, but does recommend homes have fire extinguishers rated ABC.
- A smaller fire extinguisher rated 1A:10BC has half the water equivalency of the extinguishing agent than the 2A:10BC, and therefore would not be as effective in putting out a fire in the home.
- 2A:10BC fire extinguisher required for licensed adult family homes and for licensed family home child care.

Commented [EF4]: Feedback Received - Review & Discuss:

(2)(b)(vii) - Do barriers need to be up when these items are not in use?

Commented [EF5]: Feedback Received:

(2)(c) - What about gated communities or restricted access buildings?

Research:

Per [WAC 212-12-010](#) and [WAC 51-54A-0503](#), WA State Fire Marshal standards require fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards. Therefore, a gated community or home that has restricted access must follow their local county or municipality codes and regulations regarding emergency vehicle access.

Bedrooms 110-148-1470

Foster homes must provide a bedroom for each child or youth [in care](#) that meets the following requirements:

- (1) The bedroom must:
 - (a) Be approved by the LD licensor;
 - (b) Provide privacy and space that is appropriate and adequate to meet children's and youth's developmental needs;
 - (c) Meet the requirements outlined in WAC 110-148-1475 if the bedroom is shared with other children or youth;
 - (d) Have unrestricted direct access to outdoors;
 - (e) Have at least one direct access to common use areas such as hallways, corridors, living rooms, day rooms, or other such common use areas that does not require children and youth to pass through another private bedroom space;
 - (f) Be a distinct room that is [used only as the child's or youth's bedroom and not also a common room such as](#) a hallway, kitchen, living room, dining room, unfinished basement, or other common area; and
 - (g) For children age birth through five years old, ~~be on the same floor or within easy hearing distance of~~ [have a plan that is approved by the department demonstrating how foster parents will be able to access the child's bedroom in response to their safety and well-being needs an adult with access to their bedroom](#); and
- (2) Foster parents must:
 - (a) Provide:
 - (i) An appropriately-sized separate bed for each child and youth in care with:
 - (A) Clean bedding; ~~and~~
 - (B) A mattress in good condition;
 - (C) [A bed frame, unless the bed frame is not indicated because of the child's or youth's preference or medical or cultural needs](#);
 - (D) Pillows that are covered with waterproof material or washable; and
 - (E) Waterproof mattress covers or moisture-resistant mattresses if needed;
 - (ii) Appropriate clean clothing that fits; and
 - (iii) Safe storage for clothing and personal possessions;
 - (b) Not co-sleep or share any sleeping surface, such as a bed, sofa, or chair with children and youth in care;
 - (c) [When determining child and youth placement Prohibit children from using](#) in loft style beds or upper bunks, [the foster parent must follow the manufacturer's label and consider the child's or youth's developmental capabilities if the child is vulnerable due to age, development, or condition, such as preschool children, expectant mothers, and children with a disability](#); and
 - (d) For infants:
 - (i) Use safe cribs that comply with chapter 70.111 RCW, and the current ASTM or consumer products safety commission (CPSC) guidelines, specifically 16 C.F.R. 1219 or 1220, including:
 - (A) A maximum of 2 and 3/8 inches between vertical slats of the crib;
 - (B) Cribs, infant beds, bassinets, and playpens must be made of wood, metal, or approved plastic, with secure latching devices; and

Commented [EF6]: Intent of WAC

- Identifies what can be determined as a suitable bedroom
- Provides standards for infant sleeping equipment and safe sleep practices
- Protocol for approval for weighted blankets use

Commented [EF7]: Feedback Received - Review & Discuss:

- (1)(g) - This was rewritten to provide flexibility and multiple ways to meet rule to ensure that young children are safe while sleeping at night.

Reminder: Electronic monitors are not allowed per WAC 110-148-1540.

Commented [EF8]: Feedback Received:

(2)(ci) - Are there guidelines for safe use of loft/bunk beds?

Research:

Consumer Product Safety Commission - children under age 6 not on top bunk. Follow manufacturer's instructions and label.

- (C) Clean, firm, snug-fitting mattresses covered with waterproof material that can easily be disinfected;
- (ii) Place them on their backs for sleeping, unless ~~advised~~ ordered differently by the infant's licensed health care provider;
- (iii) Do not have loose blankets, pillows, crib bumpers, or stuffed toys with a sleeping infant;
- (iv) Follow these requirements for swaddling:
- (A) The infant must be under two months old unless ~~directed~~ ordered otherwise by a licensed health care provider;
- (B) Infants over two months old may only be swaddled upon the advice of a licensed health care provider; and
- (C) Care providers must:
- (I) Be trained on proper swaddling techniques for infants;
- (II) Use one lightweight blanket;
- (III) Keep the blanket loose around the infant's hips and legs to avoid hip dysplasia; and
- (IV) Not dress swaddled infants in a manner that allows them to overheat; and
- (v) Do not use wedges and positioners with a sleeping infant unless ~~advised~~ ordered differently by the infant's licensed health care provider;
- (e) Follow these requirements when using weighted blankets:
- (i) Evaluate if there are safety concerns for a child's or youth's use of a weighted blanket;
- (ii) Only use weighted blankets under the following conditions:
- (A) With an order from a licensed health care provider or occupational therapist;
- (B) When they do not exceed 10 percent of the child's or youth's body weight;
- (C) When they do not contain metal beads; and
- (D) When they do not hinder children's or youth's movement.
- (iii) Not place weighted blankets over children's or youth's heads or above the middle of their chests;
- (iv) Not use weighted blankets as restraints; and
- (v) If children or youth enter care with a weighted blanket without an order from a licensed health care provider or occupational therapist, the licensee/foster parents:
- (A) Must obtain an order from a licensed health care provider or occupational therapist within 14 days to continue using the weighted blanket;
- (B) May use the weighted blanket as outlined in subsection (2)(e)(i-iv) of this section until they have received the order from the licensed health care provider or occupational therapist; and
- (C) Must discontinue the use of the weighted blanket if they do not receive the order within 14 days.

~~(15) You must not use weighted blankets for children under three years of age or for children of any age with mobility limitations.~~

~~(16) You may use a weighted blanket upon the advice and training from a licensed health care provider for children over the age of three years who do not have mobility limitations. You must meet the following requirements:~~

~~(a) The weight of the blanket must not exceed 10 percent of the child's body weight;~~

Commented [EF9]: Review & Discuss:

This was added to the group care requirements. Should this be added to foster care as well?

Commented [EF10]: Feedback Received - Review & Discuss:

How should the WAC handle sleep sacks or swaddlers or other options besides swaddling with a blanket?

Commented [EF11]: Feedback Received - Review & Discuss:

These changes were made with a medical consultation. They add a requirement for an order from a licensed health care provider or occupational therapist. They also remove specific bans on kids under 3 and those with mobility problems and instead require individual evaluation for safety concerns. Finally, it gives a grace period for using weighted blankets when kids come into care to give time to get the medical order.

Commented [EF12]: Note for REP: (2)(e)(v)(A)(B)(C) - this

is information that was added to Group Care WAC during NRM, based on child safety and consult with Fostering Well-Being.

- (b) Metal beads are choking hazards and must not be used in a weighted blanket;
- (c) You must not cover the child's head with a weighted blanket or place it above the middle of the child's chest;
- (d) The weighted blanket must not hinder a child's movement; and
- (e) The weighted blanket must not be used as a restraint.

New definitions:

"Caseworkers" means the primary agency worker assigned to the child or youth through the department or another government agency including tribal governments

"Sexually aggressive youth or physically assaultive/aggressive youth (SAY/PAAY)" means youth who have been identified by the department as sexually aggressive as defined in RCW 74.13.075 or physically assaultive or physically aggressive as defined in 74.13.280.

Shared bedrooms 110-148-1475

- (1) Foster parents using shared approved bedrooms:
 - (a) Must:
 - (i) Consider what bedroom placement is in the best interest of children and youth ~~consultation with~~ with input from:
 - (A) The caseworker; and
 - (B) ~~All other children and youth in the household~~ The children and youth that will be sharing bedrooms;
 - (ii) Provide enough floor space for the safety and comfort of children and youth sharing bedrooms; and
 - (iii) Not place:
 - (A) More than four children and youth in the same bedroom, including children and youth in care and any other children or youth in the home;
 - (B) Children and youth with different gender identities in the same bedroom unless all children are age birth through five years old; and
 - (C) Foster youth that have been identified as SAY/PAAY in a shared bedroom with other children and youth;
 - (b) May:
 - (i) Allow parenting foster youth to sleep in the same room with their children as long as:
 - (A) The room measures at least 80 square feet of usable floor space; and
 - (B) Only one parent and their children may occupy a bedroom;
 - (ii) Place transgender or genderfluid children and youth in a bedroom with another child or youth of the same or similar gender identity;
 - (iii) Allow children birth through one year old to share a bedroom with adults care providers if it is in the best interest of the child and approved by the caseworker; and
 - (iv) Allow youth in the EFC program to share a bedroom with a younger child of the same gender as long as the younger child is:
 - (A) Related to the individual in the EFC program; or
 - (B) At least 10 years of age.

Commented [EW13]: This is the new definition of caseworker from kinship. The idea is that we can use the term "caseworker" and it will include department and tribal caseworker instead of having to repeat that every time.

Commented [EW14]: This is a new definition, which we need if we use the acronym "SAY/PAAY" in this section. This definition is still in the works.

Commented [EF15]: Intent of WAC
Provides standards on bedrooms sharing

- Age
- Sexual Orientation, Gender Identity, and Expression (SOGIE)
- Parenting youth & infants
- Extended foster care

Commented [EF16]: Note to REP: This is to clarify that foster parents only need to consider input from the kids that are impacted by bedroom sharing.

Commented [EF17]: Feedback Received - Review & Discuss:
This is new language. Does this belong in WAC or should it be in Policy?

Commented [EF18]: Feedback Received - Review & Discuss: Discuss intent of this - should only the foster parents be allowed share a bedroom with an infant in placement or can it be any adult in the home?

Reminder: WAC 110-148-1305 defines "Care provider" as any person who is licensed or authorized to provide care for children, and cleared to have unsupervised access to children under the authority of a license.

(2) The department may grant an exception to subsections (1)(a)(iii)(A) and (b)(i-iii) of this section with an administrative approval if:

- (a) It is in the best interest of the child or youth in care; and
- (b) It is supported by the:
 - (i) LD licensor and
 - (ii) The caseworker.

Pets and animals. 110-148-1480

(1) Foster parents must:

- (a) Care for all animals housed on the property in a safe and sanitary manner;
- (b) Vaccinate and re-vaccinate dogs, cats, and ferrets against rabies following veterinary and USDA licensed rabies vaccine manufacturer instructions as outlined in WAC 246-100-197(3), unless a licensed veterinarian states in writing that such vaccinations may be contrary to the animal's health;
- (c) Create and follow a site-specific supervision plan for ~~Not have an~~ animals in the home or on the premises that ~~is~~ are dangerous to children and youth in care demonstrating how they will maintain children's and youth's safety and well-being; and
- (d) Keep ~~pet~~ animal medications in a ~~locked container~~ storage that is separate from household medications.

(2) The department has the discretion to limit the type and number of household pets and animals if the department determines there are risks to children and youth in care.

Note: 110-148-1490 will be combined with 110-148-1485 and 1490 will be repealed.

Alcohol ~~and~~, marijuana, and illegal drugs on the premises 110-148-1485

Foster ~~homes~~ parents:

(1) May ~~have~~ alcoholic beverages or marijuana on the premises as long as they are inaccessible to individuals age birth through twenty years old; and

(2) ~~Must not have illegal drugs on the premises of the home or in their possession offsite.~~

110-148-1490

Illegal drugs on the premises.

Illegal drugs are not allowed on the premises of a foster home or in the possession of a foster parent.

Commented [EF19]: Intent of WAC

- Identifies required immunizations for pets
- Addressed dangerous pets
- Standards on storing pet medication

Commented [EF20]: Feedback Received - Review & Discuss:

- (1)(c) - Dangerous animals? What type of animals and in what way dangerous. For example, lizards and pets that carry disease vs a dog that bites.

Commented [EF21]: Intent of WAC

- Addresses safe storage of alcohol & marijuana
- Prohibits illegal drugs

New definition: "Firearms" means any devices designed to cause bodily harm or physical damage from which projectiles are launched. These include but are not limited to BB guns, pellet guns, air rifles, stun guns, handguns, rifles, shotguns, and archery equipment.

(Providing this definition again as it is relevant in this section.) "Inaccessible" means a method to prevent children and youth from reaching, entering, using, or getting to items, areas, or materials in the home.

Firearms and other weapons 110-148-1500

Foster parents must follow these requirements for firearms and weapons on the property:

(1) Notify the LD licenser if any individual living in the home has a firearm or other weapon on the property; ~~This includes but is not limited to BB guns, pellet guns, air rifles, stun guns, antique guns, handguns, rifles, shotguns and archery equipment.~~

(2) Follow these storage requirements:

(a) Keep firearms and ammunition inaccessible to children and youth at all times except as allowed in subsection (3);

(b) ~~In the home, keep~~ Store firearms, ~~and~~ ammunition, ~~and other weapons~~ in locked containers inaccessible to children and youth;

(c) Store firearms separate from ammunition unless stored in a locked safe;

~~(d) Keep bows and arrows and other weapons in locked containers out of reach of children.~~

(d) If firearms are stored in a container that may be easily breakable, secure them with a locked cable or chain placed through the trigger guards; and

(e) Keep keys to the locked storage inaccessible to children and youth; and

(3) Children and youth may use a firearm only if:

(a) Their caseworker approves; and

(b) Both ~~and the youth~~ they and the supervising adult have completed an approved gun or hunter safety course.

~~(4) Whenever possible, we encourage you to equip guns with a trigger guard lock.~~

"Tuberculosis (TB)" means a contagious infection caused by the *Mycobacterium tuberculosis* bacteria. This will be added to the definitions.

Infection and communicable disease prevention 110-148-1505

Foster parents must follow these requirements for preventing infection and communicable disease:

(1) Notify the LD licenser if any adults living in the home require TB testing based on exposure or a licensed health care provider's recommendation;

~~(2) Retesting for license renewals is not required unless the above conditions apply.~~

(2) Educate household members on personal hygiene to prevent the spread of germs in the home, including but not limited to following DOH guidelines for washing hands:

(a) Before:

(i) Preparing food;

(ii) Eating; and

(iii) Changing diapers; and

(b) After:

(i) Smoking;

(ii) Changing diapers;

(iii) Using the toilet;

Commented [EF22]: Intent of WAC

- Defines firearms and other weapons
- Storage of firearms
- Addresses use of firearms for children and youth in placement

Commented [EF23]: Feedback Received - Review and Discuss:

- (2)(b) - Stronger language needed about storage?
- (4) - Trigger locks on guns should be required on all guns in all circumstances?

Commented [EW24]: **For Eva:** Add note: For review and discuss: do requirements for cloth diapers need to be included? Current WAC does not specify which type of diapers must be used and allows for use of cloth diapers. (I also saved the language you suggested.)

Commented [EF25]: Intent of WAC

- TB testing
- Education around personal hygiene
- Further consultation on infection control procedures when caring for medically fragile children

Commented [EF26]: **Revision** - Removed because this is only informational and does not meet the standards for a minimum licensing requirement.

- (iv) Touching animals; and
- (v) Playing outside;

(3) If caring for medically fragile children and youth, consult with in-home nursing services on additional infection control procedures; and

(4) When caring for children or youth who use diapers or incontinence supplies, either:

(a) Disinfect diaper-changing areas and ~~toilet trainings~~ specialized toilet equipment between each use; or

(b) Use a nonabsorbent, disposable covering that discarded after each use.

Commented [EF27]: Subsection (4) was moved here from WAC 110-148-1450.

Transporting children and youth 110-148-1510

Foster parents must follow these requirements when transporting children and youth in care,:

- (1) Keep the vehicle in a safe operating condition;
- (2) The driver must have a valid driver's license;
- (3) The driver or owner of the vehicle must be covered under an automobile liability insurance policy and have proof of registration;
- (4) The vehicle must be equipped with seat belts, car seats and booster seats, and other appropriate safety devices for all passengers required by law;
- (5) The number of passengers must not exceed the vehicle's seat belts; and
- (6) Each person in the vehicle must use an individual seat belt or approved child passenger restraint system whenever the vehicle is in motion as required by law regarding placement of children in vehicles.

Commented [EF28]: Intent of WAC

- Requirements of the driver
- Requirements of the vehicle

Serving meals, snacks, and milk 110-148-1515

Foster parents must do the following when providing meals, snacks, and milk for children and youth:
(1) Serve a variety of foods that balance children's and youth's nutritional, cultural, and developmental needs, with foods they enjoy;

(2) ~~Follow published procedures when preserving and serving home-canned foods. Foster parents must be able to provide the printed published procedures followed upon request.~~When serving home-canned foods:

(a) Only can foods if children and youth in care participated in growing and canning the food being served; and

(b) Follow proper food canning processes per the guidelines on canning and food preparation from the United States Department of Agriculture;

(3) Obtain written authorization from a licensed health care provider before modifying the diet of children age birth through nine years old; and

(4) When serving milk:

(a) Only serve milk or milk products that have been pasteurized;

(b) Serve infants formula or breast milk unless a licensed health care provider provides written authorization for different liquid;

Commented [EF29]: Intent of WAC

- Guidance on food served to children and youth
- Guidance on home-canned food
- Infant food and feeding standards

Commented [EF30]: Review and Discuss:

These changes were made in group care and are being proposed for foster care as well.

- (c) Serve children age 12 to 24 months old whole milk unless a licensed health care provider provides written authorization allowing the child not to be served whole milk;
- (d) Receive approval before serving breast milk to an infant from their:
 - (i) Caseworker;
 - (ii) Licensed health care provider; and
 - (iii) Parent;
- (e) If using breast milk provided by anyone other than the infant's biological mother, it must be obtained through a licensed breast milk bank;
- (f) When bottles are used to feed infants or children, the bottles must be:
 - (i) Sanitized;
 - (ii) Used according to product standards and commonly acceptable practices;
 - (iii) Refrigerated if the filled bottle is not used immediately; and
 - (iv) Emptied if not used within 24 hours; and
- (g) Prohibit the use of a microwave oven to warm formula or breast milk to prevent burns.

DRAFT

