

DCYF's Foster Care Negotiated Rule Making (NRM)
WAC Completion Progress Report

Progress During the 3rd Four-Week Rotation from January 6-31, 2025 (WAC Set 3 and pending WAC from Sets 1 & 2)

Negotiation completed on the following WAC:

Consensus reached

DRAFT WAC 110-148-1465 Fire and safety.

- (1) The department may require an inspection of the home 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 in care 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 children and youth to escape from every floor in the home, as outlined in WAC 110-148-1460, including having a functional and safe method of escape 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 that:
 - (A) Are in the following locations:
 - (I) Both inside and outside of every sleeping area;
 - (II) On each story of the home, including the basement; and
 - (III) In all play areas;
 - (B) Comply with requirements from the Americans with Disabilities Act when needed for the children and youth in care;
 - (v) At least one carbon monoxide detector in the following locations:
 - (A) On each level of occupancy in the home; and
 - (B) Outside and within hearing distance of every 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 heating system that gets hot enough to burn or reaches 110 degrees Fahrenheit if the home is licensed for children age birth through five years old; and

- (viii) The premises are clearly labeled with the address or house number to allow emergency personnel to 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.

DRAFT WAC 110-145-1480 Pets and animals.

- (1) Foster parents must:
 - (a) Keep children and youth safe around animals on the premises;
 - (b) Care for all animals housed on the property in a safe and sanitary manner;
 - (c) Follow the requirements from DOH regarding rabies vaccinations for pets as outlined in WAC [246-100-197](#) (3), unless a licensed veterinarian states in writing that rabies vaccinations are contrary to the animal's health.
- (2) The licensor will:
 - (a) Assess the pets and animals housed on the property for any risk to the safety and well-being of children and youth in care;
 - (b) Inform the foster home if risks are found of:
 - (i) The specific risks identified; and
 - (ii) Steps they may take to mitigate the risk, which may include:
 - (A) Following a supervision plan approved by the department that demonstrates how they will maintain children and youth's safety and well-being; or
 - (B) Limiting the type and number of household pets and animals;
 - (c) Have the final approval on whether pets can remain in the home with children and youth in care.

DRAFT WAC 110-145-1485 Alcohol, cannabis, nicotine, and illegal drugs. (Note: WAC 1490 is combined with WAC 1485)

Foster homes:

- (1) May have the following on the premises as long as they are inaccessible to individuals under birth through 20 years old:
 - (a) Alcohol;
 - (b) Vaping equipment;
 - (c) Cannabis and cannabis paraphernalia; and
 - (d) Nicotine and nicotine paraphernalia; and
- (2) Must:
 - (a) Not have illegal drugs on the premises of the home or in their possession offsite; and
 - (b) If they become aware that illegal drugs are on the premises:
 - (i) Immediately make them inaccessible to children and youth in care;
 - (ii) Contact one of the following agencies and follow their recommendations for drug disposal, either:
 - (A) Law enforcement; or
 - (B) The local health jurisdiction; and
 - (iii) Report to the department as outlined in WAC 110-148-1420.

DRAFT WAC 110-148-1505 Infection and communicable disease prevention.

- (1) Foster parents must follow these requirements for preventing infection and communicable disease:
 - (a) Notify the LD licensor if any adults living in the home require TB testing based on exposure or a licensed health care provider's recommendation;
 - (b) Notify the following if a serious infection or communicable disease threatens the safety and well-being of children and youth in care:
 - (i) Their caseworker; and
 - (ii) The licensor.
 - (c) Prevent the spread of germs in the home by:
 - (i) Educating household members on personal hygiene; and
 - (ii) Requiring household members to follow 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;
 - (IV) Touching animals; and
 - (V) Playing outside;
 - (d) If caring for medically fragile children and youth, consult with in-home nursing services on additional infection control procedures; and
 - (e) When caring for children or youth who use diapers or incontinence supplies, either:
 - (i) Disinfect diaper-changing areas and specialized toilet equipment between each use; or
 - (ii) Use a nonabsorbent, disposable covering that is discarded after each use.
- (2) The department may remove children and youth from the home when the threat of a serious infection or communicable disease creates a risk to their safety and well-being.
- (3) During public health emergencies, foster parents must follow department reporting guidelines for other communicable diseases.

DRAFT WAC 110-148-1510 Transporting children and youth.

Foster parents must follow these requirements when they or their household members transport 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 must follow laws for operating a motor vehicle;
- (4) The vehicle must be equipped with seat belts, car seats, 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 individual 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.

DRAFT WAC 110-145-1515 Serving meals, snacks, and milk.

Foster parents must do the following when providing meals, snacks, and milk for children and youth in care:

- (1) Serve a variety of foods that balance children's and youth's nutritional, cultural, and developmental needs, with foods they enjoy;
- (2) When serving home-canned foods, 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 requiring or modifying a child's or youth's specialized diet;
- (4) When serving milk:
 - (a) Only serve milk or milk products that have been pasteurized;
 - (b) Serve children age 12 months to 24 months old whole milk unless a licensed health care provider gives written authorization allowing the child not to be served whole milk;
 - (c) Serve infants formula or breast milk unless a licensed health care provider gives written authorization for a different liquid;
 - (d) If using breast milk provided by anyone other than the infant's biological mother, it must be obtained:
 - (i) Through a licensed breast milk bank; or
 - (ii) From a donor approved by the caseworker;
 - (e) Receive approval from the caseworker before serving breast milk to an infant;
 - (f) When bottles are used to feed infants or children, the bottles must be:
 - (i) Washed and used according to product standards and commonly acceptable practices;
 - (ii) Refrigerated if the filled bottle is not used immediately; and
 - (iii) 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.

Partial consensus reached

None during this time period.

Negotiations continue on the following WAC:

- 110-148-1395 Admitting and retaining children and youth (*WAC Set 1*)
- 110-145-1405 Children's and youth's well-being files (*WAC Set 2*)
- 110-148-1420 Reporting incidents (*WAC Set 2*)
- 110-148-1435 Travel with children or youth (*WAC Set 2*)
- 110-145-1470 Bedrooms (*WAC Set 3*)
- 110-145-1475 Shared bedrooms (*WAC Set 3*)
- 110-145-1500 Firearms and other weapons (*WAC Set 3*)