



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 21, 2025

TIME: 11:30 AM

WSR 25-11-095

Agency: Department of Children, Youth, and Families (DCYF)

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR 24-11-084 ; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) The DCYF Licensing Division (LD) is adding the following new sections to chapter 110-145 WAC Licensing Requirements for Group Care Facilities (GCFs):

PURPOSE, DEFINITIONS, AND NONDISCRIMINATION

110-145-2300 Purpose and legal basis for group care facilities (GCFs).

110-145-2310 Definitions.

110-145-2320 Nondiscrimination.

REQUIRED LICENSES

110-145-2330 License required to care for children and youth.

110-145-2340 Multiple licenses in the same building.

110-145-2350 Licensing and contract requirements.

LICENSING PROCESS

110-145-2360 License application requirements.

110-145-2370 Determining applicants' and licensees' suitability.

110-145-2380 Disqualification of applicants and licensees.

110-145-2390 Determining license capacity.

110-145-2400 License renewal requirements.

110-145-2410 Department access to facilities.

ENVIRONMENT, SPACE, AND FURNISHINGS

110-145-2420 Certificates, zoning, and codes regulations.

110-145-2430 Building and premises general requirements.

110-145-2440 Firearms, ammunition, and other weapons.

110-145-2450 Storing dangerous chemicals and toxic substances.

110-145-2460 Electronic monitoring of children and youth.

110-145-2470 Time-delay mechanisms on windows and doors.

110-145-2480 Water, garbage, and sewer.

110-145-2490 Laundry and clothing.

110-145-2500 Bathrooms and bathing facilities.

110-145-2510 Bedrooms and sleeping areas.

110-145-2520 Shared bedrooms.

110-145-2530 Sleeping equipment and bedding.

110-145-2540 Indoor areas for recreation, informal educational activities, and physical or occupational therapy.

110-145-2550 Outdoor recreation areas.

110-145-2560 Swimming pools and other bodies of water on the premises.

110-145-2570 Pets and animals.

EMERGENCY PRACTICES AND FIRE SAFETY

110-145-2580 Emergency and evacuation plans.

110-145-2590 First-aid supplies.

110-145-2600 Fire safety.

110-145-2610 Smoke detectors.

110-145-2620 Carbon monoxide detectors.

110-145-2630	Fire extinguishers.
110-145-2640	Fire drills.
DUTIES AND QUALIFICATIONS FOR LICENSEES AND PERSONNEL	
110-145-2650	General requirements for licensees.
110-145-2660	Duties and qualifications for executive directors or administrators in GCFs.
110-145-2670	Duties and qualifications for program managers in GCFs.
110-145-2680	Duties and qualifications for care coordinators in GCFs.
110-145-2690	Duties and qualifications of direct care staff and direct care volunteers in GCFs.
110-145-2700	Duties and qualifications of nondirect care staff and nondirect care volunteers in GCFs.
110-145-2710	Personnel records.
110-145-2720	Personnel fulfilling roles in multiple positions.
110-145-2730	Additional personnel to support GCFs.
TRAINING REQUIREMENTS	
110-145-2740	Preservice training.
110-145-2750	In-service training.
110-145-2760	Bloodborne pathogens training.
110-145-2770	First-aid and CPR training.
REPORTING	
110-145-2780	Reporting incidents.
110-145-2790	Reporting children and youth missing from care.
110-145-2800	Additional reporting requirements for licensed facilities serving runaway and homeless children and youth.
110-145-2810	Reporting facility, program, and licensee changes.
STAFFING RATIOS AND SUPERVISION	
110-145-2820	Staffing ratios.
110-145-2830	Supervising children and youth.
110-145-2840	Enhanced supervision for high-risk activities including bodies of water.
ADMISSION AND RETAINING CHILDREN AND YOUTH	
110-145-2850	Orientation for children, youth, and parents or guardians.
110-145-2860	Admission and general recordkeeping.
110-145-2870	Refusal to admit or retain a child or youth.
110-145-2880	Caring for children's and youth's personal belongings.
RECORDS FOR CHILDREN AND YOUTH	
110-145-2890	Children's and youth's well-being files.
110-145-2900	Sharing records or information about children, youth, or their families.
110-145-2910	Medical records requirements.
110-145-2920	Retention of children's and youth's records after facility closure.
HEALTH PRACTICES	
110-145-2930	Medical consent and care.
110-145-2940	Evaluating children's and youth's medical needs at admission.
110-145-2950	Immunization requirements for children and youth.
110-145-2960	Prevention of communicable disease.
110-145-2970	Accepting, storing, and disposing of medication.
110-145-2980	Medication administration and documentation.
110-145-2990	Alcohol, marijuana, and illegal drugs.
110-145-3000	Smoking and vaping.
DAILY CARE	
110-145-3010	Records for each shift.
110-145-3020	Communication privacy for children and youth.
110-145-3030	Maintaining connections with family and supportive individuals.
110-145-3040	Supporting peer relationships and participating in activities.
110-145-3050	Cultural needs.
110-145-3060	Additional requirements when caring for Indian children.
110-145-3070	Technology use.
110-145-3080	Education and vocational requirements.
110-145-3090	Allowance, chores, and employment.
110-145-3100	Personal hygiene.
110-145-3110	Food storage and preparation.
110-145-3120	Meals, snacks, and menus.
110-145-3130	Milk, breast milk, and formula.
110-145-3140	Infant and toddler care.
110-145-3150	Diapers, incontinence supplies, and toileting equipment.
110-145-3160	Transportation.
110-145-3170	Travel.
110-145-3180	EFC program.

BEHAVIOR MANAGEMENT

110-145-3190 Behavior management.

110-145-3200 Physical restraint.

ADDITIONAL REQUIREMENTS FOR SPECIFIC LICENSE TYPES OR PROVIDING SPECIALIZED SERVICES

CRCs

110-145-3210 Staffing qualifications and ratios in CRCs.

110-145-3220 CRC age and length-of-stay requirements.

110-145-3230 CRC admission requirements.

110-145-3240 CRCs transferring youth.

110-145-3250 CRC documentation requirements.

110-145-3260 CRC intervention services.

110-145-3270 CRC multidisciplinary teams.

110-145-3280 Building and premises requirements for secure CRCs.

110-145-3290 Secure CRCs colocated with juvenile detention centers.

ERCs

110-145-3300 ERC admission requirements.

110-145-3310 ERC services.

GRCs

110-145-3320 GRC staffing.

110-145-3330 GRC ages served.

110-145-3340 GRC services.

OYSs

110-145-3350 Ages served in OYSs.

110-145-3360 Requirements when admitting youth to an OYS.

110-145-3370 OYS hours of operation.

110-145-3380 OYS services.

110-145-3390 Sleeping areas and equipment in OYSs.

110-145-3400 Storage of ammunition and other weapons in OYSs.

110-145-3410 OYS citizen's board.

RACs

110-145-3420 RAC hours of operation and staffing requirements.

110-145-3430 RAC services.

SRHs

110-145-3440 SRH capacity.

Medically fragile children and youth

110-145-3450 Staffing requirements to serve medically fragile children and youth.

110-145-3460 Care and services for medically fragile children and youth.

110-145-3470 Dietary needs of medically fragile children and youth.

110-145-3480 Diaper use for medically fragile children.

110-145-3490 Medical records for medically fragile children and youth.

Pregnant and parenting services

110-145-3500 Pregnant and parenting services.

110-145-3510 Pregnant and parenting health education.

110-145-3520 Determining capacity when providing pregnant and parenting services.

110-145-3530 Building and premises general requirements when providing pregnant and parenting services.

COMPLIANCE AND ENFORCEMENT

110-145-3540 Compliance agreements and exceptions.

110-145-3550 Probationary licenses.

110-145-3560 Enforcement actions, notices, and appeals.

The following sections of chapter 110-145 WAC will be repealed:

110-145-1300 What is the purpose of this chapter?

110-145-1305 What definitions do I need to know to understand this chapter?

110-145-1310 Am I required to have a license to provide care to children?

110-145-1315 When will the department grant me a license?

110-145-1320 How old do I have to be to apply for a license to provide care to children?

110-145-1325 What is required to apply for a group care facility license?

110-145-1330 How does the department determine my suitability to become a licensed provider, or a staff member, intern, or volunteer of a licensed provider?

110-145-1335 What additional steps must I complete prior to licensing?

110-145-1340 How long do I have to complete the licensing application process?

110-145-1345 How long is my license valid?

110-145-1350 Who shall have access to my facility?

110-145-1355	Am I required to comply with local ordinances?
110-145-1360	What children may I serve in my group care program?
110-145-1365	How does the department decide which children will be placed in my care?
110-145-1370	Do I have to admit or retain all children?
110-145-1375	What happens when licensing requirements differ from contract requirements?
110-145-1380	May a group care facility be issued more than one type of license?
110-145-1385	When may I be certified to provide care to children?
110-145-1390	Will you license or continue to license me if I violate licensing regulations?
110-145-1395	Are there exceptions made if I do not meet the licensing regulations?
110-145-1400	Must prospective and current staff and volunteers be disqualified from having access to the children in my facility?
110-145-1405	What may I do if I disagree with your decision to modify, deny, suspend or revoke my license, or to disqualify my background check?
110-145-1410	How do I appeal the decision of the office of administrative hearings' administrative law judge?
110-145-1415	Can I be issued a probationary license?
110-145-1420	Who must I employ at my facility?
110-145-1425	What are the duties and qualifications of an executive director or administrator?
110-145-1430	What are the duties and qualifications of a program manager?
110-145-1435	What if my on-site program manager must be off-site temporarily when youth are present?
110-145-1440	What are the duties and qualifications of a case manager?
110-145-1445	What are the duties and qualifications of direct care staff?
110-145-1450	What are the duties and additional qualifications for crisis residential center direct care staff?
110-145-1455	If I have health care staff, what qualifications are required?
110-145-1460	What are the duties and qualifications for case management consultants?
110-145-1465	What additional supports do I need for my group care facility?
110-145-1470	Can one staff person have different responsibilities?
110-145-1475	What are the requirements for volunteers working directly with children and youth at my facility?
110-145-1480	What are the general ratios of staff to children under care?
110-145-1485	May I have more than one licensed program at my facility?
110-145-1490	What are the preservice training requirements for staff, interns, and volunteers who directly care for children?
110-145-1495	What is the in-service training requirement for staff and volunteers having responsibility to provide care to children?
110-145-1500	What first-aid and cardiopulmonary resuscitation (CPR) training is required?
110-145-1505	What bloodborne pathogens training is required?
110-145-1510	What personnel records must I submit to the department?
110-145-1515	What are the requirements for information kept in facility shift logs for group care facilities?
110-145-1520	What are the requirements for children's records?
110-145-1525	How long should my facility keep the child records?
110-145-1530	What information can be shared about a child or a child's family?
110-145-1535	What incidents involving children must I report?
110-145-1540	What are my reporting responsibilities when a child is missing from care, except for overnight youth shelters?
110-145-1545	What are my reporting requirements in my licensed facility serving runaway or homeless youth?
110-145-1550	What changes must I report to my licenser?
110-145-1555	What does the department require for my buildings and property?
110-145-1560	What toilet and bathing facilities are required?
110-145-1565	What is the ratio of persons normally on the premises to bathrooms at my facility?
110-145-1570	What are the requirements for indoor recreation areas?
110-145-1575	What are the requirements for outdoor recreation areas?
110-145-1580	What are your requirements for storing dangerous chemicals or other substances?
110-145-1585	What are the requirements for water, garbage, and sewer?
110-145-1590	How must I keep children safe around bodies of water?
110-145-1595	Are there room requirements for a group care facility?
110-145-1600	What are the general requirements for bedrooms?
110-145-1605	What are the requirements for sharing bedrooms?
110-145-1610	What are the requirements for beds in a facility?
110-145-1615	What are the requirements for laundering and storage of clothing and linen?
110-145-1620	What are the requirements for diapers and diaper changing areas?
110-145-1625	What are the requirements for the use of electronic monitors to monitor children?
110-145-1630	Are time-delay mechanisms allowed on windows and doors?
110-145-1635	What are the requirements for the prevention of the spread of infections and communicable disease?
110-145-1640	Am I required to keep first-aid supplies?
110-145-1645	What are the requirements regarding pets and animals in my facility?
110-145-1650	Are alcoholic beverages, marijuana or illegal drugs allowed on a facility's property?
110-145-1655	Is smoking permitted around children?

110-145-1660	Are guns allowed on a licensed facility's property?
110-145-1665	What are the fire safety requirements for all group residential facilities?
110-145-1670	Do I need a written emergency plan?
110-145-1675	What requirements must be followed for smoke detectors?
110-145-1680	What requirements must be followed for carbon monoxide detectors?
110-145-1685	What are the requirements for fire drills?
110-145-1690	What are the requirements for fire extinguishers?
110-145-1695	Are there different construction and fire safety requirements for facilities that have multiple licenses in the same building?
110-145-1700	What must I include in a child's orientation to my facility?
110-145-1705	How does my agency meet the religious needs of children in care?
110-145-1710	What are the requirements about nondiscrimination?
110-145-1715	Are there additional considerations in service to Native American children?
110-145-1720	Do I need a social summary for children under my care (except for interim facilities)?
110-145-1725	When do I need a treatment plan for children in care and what must be included in the plan?
110-145-1730	What are the educational and vocational instruction requirements for children placed by the department, except interim facilities?
110-145-1735	What are the requirements for an activity program?
110-145-1740	Can children in my care receive services through the extended foster care program?
110-145-1745	What are the general well-being requirements for a group care program?
110-145-1750	What are the requirements for supervising children?
110-145-1755	What requirements must I follow when I transport children?
110-145-1760	What are the travel requirements for children in care?
110-145-1765	Can children be assigned work in a facility or work outside the facility?
110-145-1770	Can a child earn allowance while in care?
110-145-1775	What belongings must be provided to a child leaving my facility?
110-145-1780	Do I have responsibility for a child's personal hygiene?
110-145-1785	What are the requirements for privacy for children in out-of-home placements?
110-145-1790	What are the food and meal guideline requirements?
110-145-1795	How often do children need to be provided meals?
110-145-1800	What are the requirements for handling a child's special diet?
110-145-1805	Are there special requirements for serving milk?
110-145-1810	Are there special requirements for infants and young children?
110-145-1815	Are written policies and procedures required describing a facility's discipline methods?
110-145-1820	When may a child be restrained?
110-145-1825	What must I do following an incident that involved using physical restraint?
110-145-1830	Are there requirements for time-out or quiet rooms?
110-145-1835	Am I required to assess a child's need for immediate medical attention?
110-145-1840	When must I get an early and periodic screening, diagnosis, and treatment (EPSDT) exam for a child?
110-145-1845	What are the requirements for obtaining consent for emergency and routine medical care?
110-145-1850	What requirements are there for the storage of medications?
110-145-1855	What are the general requirements for managing a child's medication?
110-145-1860	How do I manage a child's nonprescription medications?
110-145-1865	Can I give a child nonprescription medications with prescription medications?
110-145-1870	How do I dispose of medications?
110-145-1875	Can I accept medication from a child's parent or guardian?
110-145-1880	When may children take their own medicine?
110-145-1885	What are the immunization regulations?
110-145-1890	What type of crisis residential center (CRC) facilities may be licensed?
110-145-1895	What hours must I be available to receive youth?
110-145-1900	What residents are admitted to a semi-secure CRC?
110-145-1905	What residents are admitted to a secure CRC?
110-145-1910	What are the ratio requirements of staff to youth in crisis residential centers?
110-145-1915	What are the requirements for secure CRCs?
110-145-1920	What are additional physical requirements for secure CRCs?
110-145-1925	May a juvenile detention center operate as a separate secure CRC program?
110-145-1930	What steps must be taken after a youth is admitted into any CRC?
110-145-1935	What additional steps must be taken after a youth is admitted into a secure CRC?
110-145-1940	How long may a youth stay in a CRC?
110-145-1945	What happens when no space exists in a secure CRC?
110-145-1950	How is a youth transferred from one type of CRC to another?
110-145-1955	What intervention services must I provide or arrange for at a CRC?
110-145-1960	What additional recordkeeping is required for all CRCs?

110-145-1965	What is the purpose of a CRC multidisciplinary team?
110-145-1970	When should I convene a CRC multidisciplinary team?
110-145-1975	How is a CRC multidisciplinary team convened?
110-145-1980	May a parent disband the CRC multidisciplinary team?
110-145-1985	Who is eligible to attend my day treatment program?
110-145-1990	What are the required ratios of staff to children in day treatment centers?
110-145-1995	What consultants must I use for my day treatment program?
110-145-2000	Can my emergency respite center have more than one type of license?
110-145-2005	What are the required ratios of staff to children in an ERC?
110-145-2010	Who are the residents served at my emergency respite center?
110-145-2015	Who may place children at my emergency respite center?
110-145-2020	What information must I obtain before accepting a child for care at my emergency respite center?
110-145-2025	May services I provide at my emergency respite center substitute for other types of care?
110-145-2030	Are there additional bed requirements at my emergency respite center?
110-145-2035	What are the required ratios of staff to children in group homes?
110-145-2040	Who are the residents at my group receiving center?
110-145-2045	What are the required ratios of staff to children in group receiving centers?
110-145-2050	When do I accept placements at my group receiving center?
110-145-2055	What services must I provide at my group receiving center?
110-145-2060	What are the requirements for supervision of children at my group receiving center?
110-145-2065	What services must I provide for medically fragile children?
110-145-2070	What recordkeeping requirements exist for medically fragile children?
110-145-2075	What are additional food requirements if I care for medically fragile children?
110-145-2080	What age groups may I serve in my overnight youth shelter?
110-145-2085	How are youth admitted to my overnight youth shelter?
110-145-2090	What are the required ratios of staff to children under care in overnight youth shelters?
110-145-2095	What steps must I take when a youth first enters an overnight youth shelter?
110-145-2100	What services must be offered at an overnight youth shelter?
110-145-2105	What are the additional requirements for bedrooms in overnight youth shelters?
110-145-2110	What are additional bedding requirements in my overnight youth shelter?
110-145-2115	Do I need a citizens' board for my overnight youth shelter?
110-145-2120	What services shall be provided to pregnant and parenting youth?
110-145-2125	How are services for pregnant and parenting youth delivered?
110-145-2130	What types of health education must a facility offer to pregnant and parenting mothers?
110-145-2135	How is capacity determined for a facility that provides services to pregnant and parenting youth?
110-145-2140	What are the required ratios of staff to children in pregnant and parenting youth programs and programs providing maternity services?
110-145-2145	What are the facility and room requirements for programs offering services for pregnant and parenting youth?
110-145-2150	What is the purpose of a resource and assessment center (RAC)?
110-145-2155	What must I demonstrate to be licensed for an RAC?
110-145-2160	What is the ratio of direct care staff/volunteers to children at an RAC?
110-145-2165	Who are the residents at my RAC?
110-145-2170	How long can a child stay at an RAC?
110-145-2175	When am I required to be available for services?
110-145-2180	Who may place children at an RAC?
110-145-2185	What services are provided or arranged for at an RAC?
110-145-2190	How many children may be served in my staffed residential home?
110-145-2195	What are the required ratios of staff to children under care in an SRH?
110-145-2200	Who is eligible to manage my staffed residential home?

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
July 8, 2025		Telephonic	Comments can be made by calling (360) 972-5385 and leaving a voicemail that includes the comment, emailing the Rules Coordinator, or submitting comments to the online comment application linked below. All comments must be received by the date and time listed below.

Date of intended adoption: July 9, 2025 (Note: This is **NOT** the effective date)

Submit written comments to: Name DCYF Rules Coordinator Address	Assistance for persons with disabilities: Contact DCYF Rules Coordinator Phone (360) 902-7956
------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------

Email dcyf.rulescoordinator@dcyf.wa.gov Fax Other https://dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online Beginning (date and time) <u>June 1, 2025 at 8:00 am</u> By (date and time) <u>July 8, 2025 at 11:59 pm</u>	Fax TTY Email dcyf.rulescoordinator@dcyf.wa.gov Other By (date) <u>July 1, 2025</u>																
Purpose of the proposal and its anticipated effects, including any changes in existing rules: LD is updating this chapter to align with the D.S. Settlement Agreement. This required amending these rules to make them more developmentally appropriate and flexible to meet the individual children's and youth's needs. This project worked with stakeholders to identify areas that needed clarification and make general housekeeping updates.																	
Reasons supporting proposal: LD engaged in negotiated rulemaking (NRM) to complete this rulemaking project. The NRM process included representatives of every GCF program type, tribal nations through the Office of Tribal Relations, staff working in the field, individuals with lived experience as children or youth served by GCFs and their parents, and many community partners. LD worked to reach consensus on every section that was negotiated. When consensus could not be reached, LD attempted to make decisions to reach a compromise in service of improving care for children and youth. LD believes these changes will empower GCFs to provide high quality care that supports the safety and well-being of the children and youth they serve.																	
Statutory authority for adoption: RCW 74.15.030																	
Statute being implemented: N/A																	
Is rule necessary because of a: <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Federal Law?</td> <td style="width: 20%; text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> </tr> <tr> <td>Federal Court Decision?</td> <td style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>State Court Decision?</td> <td style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table> If yes, CITATION: <i>D.S. v. Washington State Department of Children, Youth, and Families</i> , No. 2:21-cv-00113-BJR (W.D. Wash. 2021).		Federal Law?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Federal Court Decision?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	State Court Decision?	<input type="checkbox"/> Yes <input type="checkbox"/> No										
Federal Law?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
Federal Court Decision?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																
State Court Decision?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: N/A																	
Name of proponent: (person or organization) DCYF Type of proponent: <input type="checkbox"/> Private. <input type="checkbox"/> Public. <input checked="" type="checkbox"/> Governmental.																	
Name of agency personnel responsible for: <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 35%;">Name</th> <th style="width: 35%;">Office Location</th> <th style="width: 15%;">Phone</th> </tr> </thead> <tbody> <tr> <td>Drafting</td> <td>Jason Churchwell</td> <td>316 West Boone Ave, Spokane, WA 99201</td> <td>(509) 385-9364</td> </tr> <tr> <td>Implementation</td> <td>Statewide</td> <td></td> <td></td> </tr> <tr> <td>Enforcement</td> <td>Statewide</td> <td></td> <td></td> </tr> </tbody> </table>			Name	Office Location	Phone	Drafting	Jason Churchwell	316 West Boone Ave, Spokane, WA 99201	(509) 385-9364	Implementation	Statewide			Enforcement	Statewide		
	Name	Office Location	Phone														
Drafting	Jason Churchwell	316 West Boone Ave, Spokane, WA 99201	(509) 385-9364														
Implementation	Statewide																
Enforcement	Statewide																
Is a school district fiscal impact statement required under RCW 28A.305.135? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, insert statement here: <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> The public may obtain a copy of the school district fiscal impact statement by contacting: <div style="margin-left: 20px;"> Name Address Phone Fax TTY Email Other </div> </div>																	
Is a cost-benefit analysis required under RCW 34.05.328? <div style="margin-left: 20px;"> <input type="checkbox"/> Yes: A preliminary cost-benefit analysis may be obtained by contacting: <div style="margin-left: 20px;"> Name Address Phone Fax TTY Email Other </div> </div>																	

☒ No: Please explain: A cost-benefit analysis is not required under RCW 34.05.328. DCYF is not among the agencies listed as required to comply with RCW 34.05.328(5)(i). Further, DCYF does not voluntarily make that section applicable to the adoption of this rule.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

☐ [RCW 34.05.310](#) (4)(b)
(Internal government operations)

☐ [RCW 34.05.310](#) (4)(e)
(Dictated by statute)

☐ [RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

☐ [RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

☐ [RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

☐ [RCW 34.05.310](#) (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4). (Does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

☐ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.

☐ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

☒ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____

☒ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

SECTION 1: Describe the proposed rule, including:

- A brief history of the issue;
- An explanation of why the proposed rule is needed; and
- A brief description of the probable compliance requirements and the kinds of professional services that a small business is likely to need in order to comply with the proposed rule.

The Department of Children, Youth, and Families (DCYF) Licensing Division is amending the licensing WACs for GCFs authorized under chapter 74.15 RCW for children and youth in Washington state. DCYF was sued by Disability Rights Washington and a Class of children and youth under the age of 18 who have been removed from their parents or caregivers. The D.S. Settlement Agreement was negotiated under the lawsuit.

As part of this settlement agreement DCYF agreed to amend contracts, policies, and rules to be more developmentally appropriate and flexible based on the individual child's and youth's needs. The settlement agreement required the GCF rules in chapter 110-145 WAC to be amended by engaging in negotiated rule-making (NRM.) NRM is a process by which representatives of DCYF, along with stakeholder groups impacted by the rules, seek to reach consensus on the terms of a proposed rules. The amendments required by the settlement agreement must at minimum include following:

- Developmentally appropriate autonomy and privacy for children and youth, including but not limited to:
 - Typical cell phone access based on their age and development; and
 - Support or resources necessary to engage in normal social activities with peers;
- Obligations to facilitate connections to immediate, extended, and chosen family members, in accordance with the child's or youth's case plan, including but not limited to potential long-term or permanent placements;
- Responsibility to support children or youth to remain in their school of origin in accordance with the youth's case plan;
- Expectations to provide education, training, and coaching to families of origin and other potential long-term or permanent placements about how best to support the child or youth;
- Expectations to engage in service or discharge planning;
- Standards for providing sufficient nutrition and satisfaction of dietary needs; and
- Training requirements and expectations for providing culturally responsive, LGBTQIA+ affirming, and trauma-informed care.

DCYF used this rulemaking project to reorganize the structure of the chapter and do some housekeeping on the format. DCYF then opted to repeal all existing sections of the chapter and replace them with new versions. In many cases, the requirements remained the same, although in a new section. Other requirements were revised or repealed. The proposed rules listed in this Small Business Economic Impact Statement were identified as having a potential cost increase that exceeds the minor cost threshold for GCFs. The rules are:

WAC 110-145-2530 (1)(b) Sleeping equipment and bedding. This rule change clarifies that a bed frame is included in the required bedding equipment that GCFs must provide to each child and youth in care.

WAC 110-145-2650 (1)(c) General requirements for licensees. This rule change requires GCFs to develop and follow communication policies and procedures that detail how individuals on all shifts will communicate with children and youth appropriate to their language and at their individual developmental capabilities, as well as with DCYF, health care providers, and other service providers.

WAC 110-145-2750 (2)(a)(i) and (ii) In-service training. This rule change adds additional training requirements for GCF personnel. Previously, all GCF personnel providing direct care to children and youth were required to complete DCYF-approved behavior management training within their first year of employment, which counted toward the total 24 hours of training required annually. This rule now requires personnel to complete the behavior management training within the first 60 days of working in the facility and is in addition to the total 24 hours of training that is required annually.

WAC 110-145-2750 (4)(a), (b), and (c) In-service training. This rule change requires all personnel at GCFs to complete additional DCYF-approved training in their first six months of employment on the following topics: culturally responsive care, LGBTQIA+ affirming care, and trauma-informed care.

WAC 110-145-2780 (1)(b)(i), (vi), (vii), (xii), (xiii), (xiv), and (xv) Reporting incidents. This rule change requires personnel to report seven additional types of incidents involving children or youth to the licensor and the child's or youth's representative.

WAC 110-145-2820 (4) Staffing ratios. This rule change replaces the case manager with a master's degree required in GCFs, excluding emergency respite centers, group receiving centers, and overnight youth shelters, with a care coordinator who does not need a master's degree. It also lowers the staffing ratio from one case manager for every 25 children or youth in care to one care coordinator for every 18 children or youth in care.

WAC 110-145-2840 (2)(c)(ii)(A) Enhanced supervision for high-risk activities, including bodies of water.

This rule change increases the required number of supervising staff when two or more children or youth are swimming outside the supervision of a lifeguard from one to two.

WAC 110-145-2850 Orientation for children, youth, and parents or guardians. This rule change requires GCFs to provide orientation to children's and youth's parents or guardians when they place their child or youth in the facility.

WAC 110-145-2880 Caring for children's and youth's personal belongings. This rule change provides additional details about the GCFs requirement to take an inventory of children's and youth's personal belongings at placement. The additional requirements include meeting with the children or youth and documenting the items they identify as important, items placed in their room, and items placed in storage. The inventory must be updated at least twice a year and when there are changes to items identified as having sentimental value. The rule change also requires GCFs to provide children and youth with luggage or a sturdy container for their belongings when they are discharged, if the child or youth does not already have one.

WAC 110-145-2970 (3)(c)(i) Accepting, storing, and disposing of medication. This rule change requires GCFs to have a plan for how children's and youth's emergency medication will be easily accessible to them in case of an emergency, while being inaccessible to other children and youth in care, and for taking the medication off-site.

WAC 110-145-3050 Cultural needs. This rule change requires the GCFs to develop a detailed written plan about a child's or youth's cultural needs, including their self-identified spiritual and religious beliefs, race, ethnicity, sexual orientation, gender identity, and expression. In developing the plan, the facility is required to gather information from the child or youth and their representative. The plan includes specific activities the child or youth would like to and would not like to participate in at the facility or off-site, how they can participate according to their developmental capabilities, including how they will get to and from the activity. If there is a safety or well-being reason why the child or youth may not participate in the activities, the plan must include the reason why, actions they may take that would allow them to participate in the future, and equivalent alternative activities they may choose to participate in. The GCFs are required to review and update the plan quarterly with the child or youth and their representative.

WAC 110-145-3040 Supporting peer relationships and participating in activities. This rule change requires GCFs, excluding emergency respite centers, group receiving centers, and overnight youth shelters, to develop a detailed written plan about children's and youth's social activities in which they want to participate, both at the facility and offsite. In developing the plan, the facilities must gather information from the children and youth and their representatives, as well as from the licensee's observations. They must include how the children and youth can participate according to their developmental capabilities, including how they will get to and from the activity. If there is a safety or well-being reason why the children or youth may not participate in the activities, the plan must include the reason why, actions they may take that would allow them to participate in the future, and equivalent alternative activities they may choose to participate in. The facilities are required to review and update the plans quarterly with the children and youth and their representatives.

WAC 110-145-3070 Technology use. This rule change requires GCFs to develop and follow technology policies and procedures. The policies and procedures must include a description of the children's and youth's allowed access and use of devices connected to the internet both at the facility and offsite, specific types of technology that are prohibited from the program for a safety or well-being reasons and what those reasons are, rules for technology use at the facility and offsite, consequences for violating the technology use rules, and a description of the technology training the facilities will provide to the children and youth in care. The rule change also requires GCFs to develop and document a technology access plan that includes input from the child or youth and their representative when their technology access needs to be restricted for the safety or well-being of themselves or others. Additional details in the plan include information about the type of technology the children or youth are being restricted from accessing, where, when, and how they will be restricted, the areas impeding their ability to successfully use the technology, and actions they may take that would allow them to restore unrestricted access in the future. GCFs are required to review and update the plans quarterly or more frequently if the children or youth show signs of mental distress or overuse.

WAC 110-145-3080 Education and vocational requirements. This rule change requires licensees to attend meetings about the school-aged children or youth at their schools, including the best interest determination meeting. It also requires GFCs to notify the children’s and youth’s representatives if there are safety or well-being concerns at the school, there is no immediate school attendance plan at time of placement, or they are not attending school within two consecutive days of admission. Finally, it requires GFCs to make concentrated efforts to begin school attendance and contact DCYF’s regional education lead or the school district foster care liaison and document those efforts in the children’s or youth’s well-being file.

WAC 110-145-3090 Allowance, chores, and employment. This rule change requires GFCs to provide an opportunity for children and youth who are placed in care more than 15 days to receive money or a money substitute allowance for completing chores appropriate to their age and developmental capabilities and to teach children and youth about money management as appropriate to their developmental capabilities. It also requires licensees to support a youth’s efforts when they are able to work and request to seek employment offsite by developing an employment plan with input from the youth, their representatives, and others as appropriate. The plan includes the youth’s employment goals, skills and abilities related to successful employment, any identified areas impeding their ability to safely work off-site, and actions they may take that would allow them to work offsite in the future. GFCs are required to review and update the plans quarterly with the youth.

WAC 110-145-3390 (2)(a) Sleeping areas and equipment in OYSs. This rule change requires overnight youth shelters to provide barriers to each youth for privacy or separation from other youth during sleeping hours if they use common sleeping areas.

Repealing WAC 110-145-2030 Are there additional bed requirements at my emergency respite center? This rule is being repealed. The removal of this rule from the chapter will result in emergency respite centers no longer being able to use a cot in place of a bed.

SECTION 2: Identify which businesses must comply with the proposed rule using the North American Industry Classification System (NAICS) codes and the minor cost thresholds.

NAICS Code (4, 5 or 6 digit)	NAICS Business Description	# of Businesses in WA	Minor-Cost Threshold = 1% of Average Annual Payroll	Minor-Cost Threshold = 0.3% of Average Annual Receipts
623990	Other residential care facilities	39* 70**	\$14,514	\$17,113

* Based on data from the 2021 Washington State Employment Security Department

** Based on data from the 2021 Washington State Department of Revenue

SECTION 3: Describe how small businesses were involved in the development of the proposed rule.

In the fall of 2023, DCYF held 15 Listening & Learning sessions statewide to learn more about the issues that GFCs had with the existing rules and to gather input about the areas of focus identified in the D.S. Settlement Agreement. All licensed GFCs were invited to the Listening & Learning sessions, and 85% of the facilities attended the sessions.

In December 2023, DCYF began the Group Care NRM process and eight Washington GCF participant groupings were identified based on the type of services provided; see table below. Each participant grouping had two representatives and at least one backup representative. The representatives brought the interests of their participant grouping to the NRM meetings for discussion and consensus-reaching.

Group Care NRM Participant Groupings
1. Behavioral Rehabilitation Services
2. Semi-Secure Crisis Residential Centers / Secure Crisis Residential Centers

3. Washington Developmental Disabilities Administration
4. Emergency Placement Services
5. Group Receiving Centers / Emergency Respite Centers / Resource and Assessment Centers
6. Medically Fragile
7. Office of Refugee Resettlement / Unaccompanied Refugee Minor / Private Insurance / Maternity
8. Overnight Youth Shelters / HOPE

Additionally, throughout the NRM process, from December 2023 to September 2024, DCYF posted the proposed rules on its website and provided an email address where people could send their feedback. NRM participants also reviewed the final proposed rules.

SECTION 4: Analyze the probable cost of compliance. Identify the probable costs to comply with the proposed rule, including the cost of equipment, supplies, labor, professional services and increased administrative costs. Also consider, based on input received, whether compliance with the rule will cause businesses to lose sales or revenue.

To gather information about probable costs, a survey was sent to the 26 provider representatives who participated in the Group Care NRM. The survey asked if each of the 17 rules listed in Section 1 above would have an additional financial impact on the provider's operation of their GCF. If the provider indicated the rule would have an additional financial impact, they were asked to provide a brief explanation and estimated cost. The survey had a 42% return rate, with 11 providers responding. All eight of the provider-type groupings represented in NRM are represented in the returned surveys. These include: BRS, CRC/SCRC, DDA, EPS, GRC/ERC/RAC, Medically Fragile, ORR/URM/Private/Maternity, and OYS/Hope.

Costs	Does the rule change exceed the minor cost threshold?
WAC 110-145-2530 (1)(b) Sleeping equipment and bedding. 11 of 11 respondents indicated this rule <u>would not have an additional financial impact</u> on the operation of their GCF.	
WAC 110-145-2650 (1)(c) General requirements for licensees. 3 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.	
<u>One-time cost:</u> -Creating/drafting policy \$3,102 -Develop training \$ 264 -Train 70 caregivers <u>\$ 787</u> <u>Total one-time cost:</u> \$4,153 in first year	Does not exceed the minor cost threshold
<u>Recurring cost:</u> -Routine review of policy annually \$ 66 -Add to new hire orientation <u>\$ 787</u> -Train 70 caregivers	
<u>Total recurring cost:</u> \$1,348 annual recurring cost	

WAC 110-145-2750 (2)(a)(i) and (ii) In-service training requirements. 7 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.	
<u>One-time cost:</u> No response --- <u>Recurring cost</u> <u>(includes year one):</u> \$14,000 annual -16 hrs. of behavior recurring cost mgmt. training for (35 staff x 16 hours x staff in addition to \$25/hour) the 24 hours of in- service training	Does not exceed the minor cost threshold
WAC 110-145-2750 (4)(a), (b), and (c) In-service training requirements. 4 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.	
<u>One-time cost:</u> -Train existing staff \$7,500 in first year <u>Recurring cost:</u> -Train new staff \$2,000-\$3,000 annual recurring cost	Does not exceed the minor cost threshold
WAC 110-145-2780 (1)(b)(i), (vi), (vii), (xii), (xiii), (xiv), and (xv) Reporting incidents. 2 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.	
<u>One-time cost:</u> -Update reporting \$ 495 requirement policy -Update training \$ 264 -Train 70 caregivers \$1,575 -Add training to new \$ 66 hire orientation <u>Total one-time cost:</u> \$2,400 in first year <u>Recurring cost:</u> -Routine review of \$ 495 policy annually -Add to annual \$ 66 trainings <u>\$ 787</u> -Complete annual trainings (additional time) <u>Total recurring cost:</u> \$ 1,348 annual recurring cost	Does not exceed the minor cost threshold
WAC 110-145-2820 (4) Staffing ratios.	

4 of 11 respondents reported their facility was licensed for 18 or more children. Those four respondents indicated this rule would not have an additional financial impact on the operation of their GCF.

WAC 110-145-2840 (2)(c)(ii)(A) Enhanced supervision for high-risk activities, including bodies of water.

3 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.

<u>One-time cost:</u> No response ---	Does not exceed the minor cost threshold
<u>Recurring cost</u> <u>(includes year one):</u> \$1,500 annual recurring cost (\$25/hour x 4-hr. activity x 15 activities per year) -Need additional staff during these times	

WAC 110-145-2850 Orientation for children, youth, and parents or guardians.

2 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.

<u>One-time cost:</u> -Complete gap analysis, update policy/procedure \$3,102 in first year	Does not exceed the minor cost threshold
<u>Recurring cost:</u> -Routine review of policy annually \$ 495 -Orient children, youth, and parents on admission <u>\$ 528</u>	
<u>Total recurring cost:</u> \$1,023 annual recurring cost	

WAC 110-145-2880 Caring for children's and youth's personal belongings.

4 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.

<u>One-time cost:</u> -Complete gap analysis, update policy/procedure \$ 3,102 -Initial (re)inventory for 15 residents \$ 6,336 <u>Total one-time cost:</u> \$ 9,438 in first year	Does not exceed the minor cost threshold
<u>Recurring cost:</u> -Routine review of policy annually \$ 495/yearly -Twice a year inventory for 15 residents <u>\$12,672</u>	

<u>Total recurring cost:</u> \$13,167 annual recurring cost	
WAC 110-145-2970 (3)(c)(i) Accepting, storing, and disposing of medication. 3 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.	
<u>One-time cost:</u> -Complete gap analysis, update policy/procedure \$3,102 --Develop training \$ 528 Train staff \$1,575 -Add training to new hire orientation \$ 66 <u>Total one-time cost:</u> \$5,271 in first year <u>Recurring cost:</u> -Routine review of policy annually \$ 495 -New hire orientation cost \$ 22.50 per new hire <u>Total recurring cost:</u> \$ 517.50 annual recurring cost	Does not exceed the minor cost threshold
WAC 110-145-3050 Cultural needs. 3 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.	
<u>One-time cost:</u> -Complete gap analysis, update policy/procedure \$3,102 -Create resident plan & coordinate input \$ 528 per resident <u>Total one-time cost:</u> \$3,630 in first year <u>Recurring cost:</u> -Routine review of policy annually \$ 495 -Quarterly plan updates \$ 66 per resident -On-going mgmt of resident on plan (direct oversight, prep, and travel costs) \$ 45-66/hr <u>Total recurring cost:</u> \$ 606-\$627 annual recurring cost	Does not exceed the minor cost threshold
WAC 110-145-3040 Supporting peer socialization and participating in activities.	

4 of 11 respondents indicated this rule would have an additional financial impact.

- The first set of figures below were the highest cost estimates submitted pertaining to this rule, which were submitted by a provider caring for medically fragile children and youth. Due to the unique needs of medically fragile children and youth who require the availability of 24-hour skilled care from health care staff, the provider anticipates an additional cost to hire a full-time person to plan and coordinate children's and youth's participation in offsite activities, exceeds the minor cost threshold.
- The second set of figures were submitted by a GCF that does not care for medically fragile children and youth, which is representative of the majority of GCFs in Washington. Those costs do not exceed the minor cost threshold.

Medically Fragile GCF:

One-time cost:

-Complete gap analysis, update policy/procedure \$ 3,102

-Create resident plan and coordinate input \$ 528 per resident

-First year salary for full-time Life Enhancement Coordinator to manage program and calendars \$78,400

Total one-time cost: \$ 82,030 in first year

Recurring cost:

-Routine review of policy annually \$ 495

-Quarterly plan updates \$ 66 per resident

-Full-time Life Enhancement Coordinator to manage program and calendars \$78,400/year

-Offsite transport \$ 200 per resident

Total recurring cost: \$79,161 annual recurring cost

Non-Medically Fragile GCF:

One-time cost:

No response ---

Recurring cost

(including first year): **\$2,100** annual recurring cost (4 hours x \$25 x 21 youth across 4 sites)

-Develop and update plan for each youth

Exceeds the minor cost threshold

Does not exceed the minor cost threshold

WAC 110-145-3070 Technology use.

2 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.

<p><u>One-time cost:</u></p> <p>-Complete gap analysis, update policy/procedure \$3,102</p> <p>-Create resident plan and coordinate input <u>\$528 per resident</u></p> <p><u>Total one-time cost:</u> \$3,630 in first year</p> <p><u>Recurring cost:</u></p> <p>-Routine review of policy annually \$ 495</p> <p>-Quarterly plan updates <u>\$ 66 per resident</u></p> <p><u>Total recurring cost:</u> \$ 561 annual recurring cost</p>	Does not exceed the minor cost threshold
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------

WAC 110-145-3080 Educational and vocational requirements.

3 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.

<p><u>One-time cost:</u></p> <p>-Complete gap analysis, update policy/procedure \$3,102</p> <p>-Create resident plan and coordinate input <u>\$ 528 per resident</u></p> <p><u>Total one-time cost:</u> \$3,630 in first year</p> <p><u>Recurring cost:</u></p> <p>Routine review of policy annually \$ 495</p> <p>Quarterly plan updates \$ 66 per resident</p> <p>School supplies</p> <p>Weekly mtgs with school No estimate provided <u>\$3,432</u></p> <p><u>Total recurring cost:</u> \$3,993 annual recurring cost</p>	Does not exceed the minor cost threshold
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------

WAC 110-145-3090 Allowance, chores, and employment.

4 of 11 respondents indicated this rule would have an additional financial impact. The figures below were the highest cost estimates submitted pertaining to this rule.

<p><u>One-time cost:</u></p> <p>-Complete gap analysis, update policy/procedure \$3,102</p> <p><u>\$ 528 per resident</u></p>	Does not exceed the minor cost threshold
--------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------

-Create resident plan and coordinate input \$3,630 in first year <u>Total one-time cost:</u>		
<u>Recurring cost:</u> \$ 495 -Routine review of policy annually \$ Unknown (TBD) -Allowance/chores per child per chore or day \$ 66 per resident -Quarterly plan updates <u>\$ 45-\$66/hr</u> -On-going mgmt of resident on plan \$ 606-\$627 annual <u>Total recurring cost:</u> recurring cost		
WAC 110-145-3390 (2)(a) Sleeping areas and equipment in OYSs.		
This rule applies only to overnight youth shelters (OYS). One OYS provider responded to the survey. They indicated this rule would have an additional financial impact.		
<u>One-time cost:</u> -Hospital-style curtains \$840 in first year (\$60 x 14) -Labor to install curtain racks No estimate provided <u>Recurring cost:</u> No response ---		Does not exceed the minor cost threshold
Repealing WAC 110-145-2030 Are there additional bed requirements at my emergency respite center?		
This rule applies only to Emergency Respite Centers (ERC). One of eleven respondents indicated they operate an ERC. The ERC provider indicated this rule <u>would not have an additional financial</u> impact on the operation of their GFC.		

SECTION 5: Analyze whether the proposed rule may impose more than minor costs on businesses in the industry.

Based on the information obtained from the survey discussed above, proposed WAC 110-145-3040, which requires GCFs to facilitate children’s and youth’s participation in social activities offsite, may impose more than minor costs on a GCF caring for medically fragile children. The cost estimate that exceeded the minor costs threshold was submitted by a GCF caring for medically fragile children. Due to the unique needs of medically fragile children who require the availability of 24-hour skilled care from health care staff, the provider anticipates an additional cost to hire a full-time person to plan and coordinate children’s participation in offsite activities.

However, the cost estimates submitted by GCFs who do not care for medically fragile children did not exceed the minor cost threshold. In addition, the GCF that submitted this information indicated that they may need to hire this staff member regardless of the rule change, so it is unclear if this cost is a direct result of the rule change.

SECTION 6: Determine whether the proposed rule may have a disproportionate impact on small businesses as compared to the 10 percent of businesses that are the largest businesses required to comply with the proposed rule. Use one or more of the following as a basis for comparing costs: cost per employee, cost per 1 hour of labor, cost per \$100 of sales.

DCYF does not expect the proposed rule to have a disproportionate impact on small businesses as compared to the 10 percent of businesses that are the largest businesses required to comply with the proposed rule.

All of the costs associated with this rule change are labor costs. The cost to the facility to update policies and plans would be accrued at an hourly rate, which is shown through the results of the survey to be consistent across employees of the same type across the industry. One response showed the need to hire one staff member. Because this is a GCF for medically fragile children and youth, this staff member may require a certain level of health care credential, such as a registered nurse or a nursing assistant, which is generally a job classification that gets paid more than the typical staff at a GCF. However, the GCF who gave this information does represent a facility in the 10 percent of businesses that are the largest businesses required to comply with the proposed rule. This would mean if there is a disproportionate impact, it would be felt by the largest businesses, not the smallest.

SECTION 7: If the proposed rule is likely to impose a disproportionate impact on small businesses, identify the steps taken to reduce the costs of the rule on small businesses. If the costs cannot be reduced, provide a clear explanation of why.

Because there was no disproportionate impact found on small businesses, this section does not apply.

SECTION 8: Identify the estimated number of jobs that will be created or lost as a result of compliance with the proposed rule.

Proposed WAC 110-145-3040 would most likely not result in the loss of jobs and may result in hiring one additional person at each GFC caring for medically fragile children and youth in order to carry out the planning and coordination of children's and youth's offsite participation in social activities. There are approximately 13 GCFs caring for medically fragile children and youth, so DCYF estimates up to 13 jobs created by the proposed rules.

SECTION 9: Summarize the results of the analysis, including the determination if costs are disproportionate.

The proposed changes to chapter 110-145 WAC will likely impose more than minor costs on the GCFs regulated by this chapter. However, DCYF's analysis does not show that the costs will be disproportionate to small businesses in the industry. Additionally, while this report details the expected costs of compliance with the proposed rules, it does not outline the expected benefits. During the course of the NRM, children, youth, and parents with lived experience in GCFs expressed the many benefits they see in the proposed rules, including developing increased independent living skills, improved relationships with peers, relatives, and chosen family, and greater accountability for care for themselves and their possessions. DCYF believes that the benefits of this proposed rule are important for carrying out the mission to protect children and youth and allow them to grow up safe, healthy, and thriving.

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name DCYF Rules Coordinator
Address
Phone (360) 902-7956
Fax

TTY
Email dcyf.rulescoordinator@dcyf.wa.gov
Other

Date: May 21, 2025

Name: Brenda Villarreal

Title: DCYF Rules Coordinator

Signature:



Chapter 110-145 WAC
LICENSING REQUIREMENTS FOR GROUP CARE FACILITIES (GCF)

PURPOSE, DEFINITIONS, AND NONDISCRIMINATION

NEW SECTION

WAC 110-145-2300 Purpose and legal basis for group care facilities (GCFs). (1) The licensing division (LD) is responsible for licensing and monitoring the care provided to children and youth placed in GCFs and verifying they meet the minimum licensing requirements in this chapter.

(2) The legal basis for GCFs, which authorizes the department to license and to provide group care placement services, are:

- (a) Chapter 13.34 RCW;
- (b) Chapter 74.13 RCW; and
- (c) Chapter 74.15 RCW.

(3) This chapter contains licensing requirements for GCFs, including:

- (a) Group homes;
- (b) Crisis residential centers (CRCs);
- (c) Emergency respite centers (ERCs);
- (d) Group receiving centers (GRCs);
- (e) Overnight youth shelters (OYSS);
- (f) Staffed residential homes (SRHs); and
- (g) Resource and assessment centers (RACs).

(4) These licensing regulations are to keep children and youth in GCFs safe, healthy, and protected from all forms of child abuse and neglect, as outlined in:

- (a) RCW 26.44.020; and
- (b) Chapter 110-30 WAC.

(5) Licensed GCFs may provide specialized services to children and youth including, but not limited to, maternity services, HOPE centers, responsible living skills programs, and services to those who are medically fragile or have developmental disabilities. Licensees providing specialized services:

- (a) Must hold a group care license to provide the specialized services outlined in this chapter; and
- (b) May provide these services through their own program or by using community resources.

NEW SECTION

WAC 110-145-2310 Definitions. The following definitions apply to this chapter:

"Abuse or neglect" means the same as defined in RCW 26.44.020.

"Administering medication" means the direct application of a drug to the body or an individual by injection, inhalation, ingestion, or any other means.

"Adults" means individuals 18 years old or older not in the care of the department.

"Agency" means the same as defined in RCW 74.15.020.

"Asexual" means the lack of a sexual attraction or desire for other individuals.

"Assessment" means the appraisal or evaluation of children's or youth's physical, mental, social, and emotional condition, and their family's ability to meet their needs.

"Bisexual" means individuals who have an emotional or physical attraction to individuals of the same and different genders.

"Capacity" means the age range and maximum number of children and youth on the current license.

"Cardiopulmonary resuscitation (CPR)" means an emergency lifesaving procedure performed when an individual's breathing or heartbeat has stopped.

"Care coordinators" means individuals coordinating the efforts to meet children's and youth's needs.

"Caseworkers" means the primary agency workers assigned to the children or youth through the department or another government agency, including tribal governments.

"Centers for Disease Control and Prevention (CDC)" means the United States Centers for Disease Control and Prevention.

"Child in need of services (CHINS)" means the same as defined in RCW 13.32A.030.

"Child protective services (CPS)" means the same as defined in RCW 26.44.020.

"Child welfare (CW)" means the services or programs in the child welfare division within the department.

"Children" or "youth" means individuals who are one of the following:

(a) Under 18 years old;

(b) Up to 21 years old and enrolled in services through the developmental disabilities administration (DDA) in the department of social and health services the day prior to their 18th birthday and pursuing either a:

(i) High school or equivalency course of study; or

(ii) Vocational program;

(c) Up to 21 years of age and participating in the extended foster care (EFC) program; or

(d) Up to 21 years of age with developmental disabilities.

"Community children or youth" means children or youth under the custody of their parents or guardians.

"Compliance agreement" means a written improvement plan to meet licensing requirements in this chapter.

"De-escalation" means strategies used to defuse a volatile situation, to assist children or youth to regain behavior control, and to avoid a physical restraint or other behavioral intervention.

"Department" means the Washington state department of children, youth, and families.

"Department children or youth" means children or youth who are under the custody of the department.

"Department of health (DOH)" means the Washington state department of health.

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

"Developmental disabilities administration (DDA)" means the developmental disabilities administration in the department of social and health services.

"Developmental disability" means the same as defined in RCW 71A.10.020.

"Direct care" means direct personal care and supervision to children and youth in care.

"Direct care staff" means individuals employed and paid by licensees who provide direct personal care and supervision to the children and youth in care.

"Direct care volunteers" means individuals who provide direct hands-on personal care and supervision to the children and youth in care without compensation.

"Early periodic screening, diagnosis, and treatment (EPSDT)" means an early periodic screening, diagnosis, and treatment exam completed by a licensed health care provider.

"Electronic monitoring" means video or audio monitoring or recording used to watch or listen to children or youth as a way to monitor their behavior.

"Emergency medication" means medication used to treat conditions that may carry a high risk of mortality or long-term negative impacts on individuals' daily functions or quality of life.

"Emergency respite centers (ERCs)" means the same as defined in RCW 74.15.020.

"Enhanced supervision" means a heightened standard of supervision in which personnel are able to monitor children and youth in care by seeing or hearing them or both and instantly respond to any unsafe or harmful events that have occurred.

"Environmental Protection Agency (EPA)" means the United States Environmental Protection Agency.

"Extended foster care (EFC)" means the same as defined in RCW 74.13.020.

"Firearms" means a weapon or device designed to cause bodily harm or physical damage from which projectiles may be fired by an explosive such as gunpowder. These include, but are not limited to, handguns, rifles, and shotguns.

"Full-time" means a minimum of 1,664 work hours in a calendar year or the equivalent of 32 work hours per week.

"Gay" means a sexual orientation to describe individuals who are emotionally or physically attracted to someone of the same gender. Gay is sometimes an umbrella term for the LGBTQIA+ community.

"Gender" or "gender identity" means an individual's inner sense of being a female, male, a blend of both or neither, or another gender. This may or may not correspond with an individual's sex assigned at birth.

"Gender expression" means individuals' outward communication of their gender through behavior or appearance. This may or may not conform to their sex assigned at birth or socially defined behaviors and

characteristics typically associated with being either masculine or feminine.

"Gender fluid" means individuals whose gender identities are flexible, not permanent.

"Group care facilities (GCFs)" means licensed facilities, other than foster family homes or residential private schools, that are maintained and operated for a group of children or youth in an overnight shelter or on a 24-hour basis.

"Group homes" means licensed facilities that provide 24-hour care to six or more children and youth who require more supervision than can be provided in a foster home.

"Group receiving centers (GRCs)" means licensed facilities that provide the basic needs of food, shelter, and supervision for children and youth placed by the department, generally for 30 or fewer days.

"Guardians" means the same as legal guardian defined in RCW 26.33.020.

"Health care staff" means anyone providing qualified medical consultation to licensees or medical care to the children and youth in care.

"Hearing" means the administrative review process conducted by administrative law judges.

"Inaccessible" means a method to prevent children and youth from reaching, entering, using, or getting to items, areas, or materials in the facility.

"Indian child" means the same as defined in WAC 110-110-0010.

"Infants" means children from birth to one year old.

"Interim facilities" means overnight youth shelters (OYSS), ERCs, or resource and assessment centers (RACs).

"Intersex" means an umbrella term used to describe a wide range of natural bodily variations when the body is born with a combination of chromosomes, internal organs, or external genitalia that do not develop as expected.

"Lesbians" means females or women who have an emotional or physical attraction for other females or women.

"LGBTQIA+" means lesbian, gay, bisexual, transgender, queer or questioning, intersex, and asexual. The "+" represents identities not specifically named in the LGBTQIA acronym, e.g., pansexual, gender nonbinary, and Two-Spirit.

"License" means a permit issued by the department when the licensee meets the licensing requirements established in this chapter.

"Licensed health care providers" means medical doctors, doctors of osteopathy, doctors of naturopathy, physician's assistants, or advanced registered nurse practitioners.

"Licensed practical nurses (LPNs)" means the same as defined in RCW 18.79.060.

"Licensees" means individuals or entities named on a license issued by the department that authorizes them to provide care to children and youth. Licensees' requirements apply to the licensee and their employees, volunteers, interns, and work study students.

"Licensing division (LD)" means the division within the department that licenses and monitors foster homes, licensed kinship homes, CPAs, and licensed GCFs.

"Lived experience" means experience outside of professional, volunteer, and educational background that is reflective of the demographic of children and youth in the licensee's care.

"Local Indian child welfare advisory committee (LICWAC)" means the same as used in WAC 110-110-0060.

"Maternity services" means the same as defined in RCW 74.15.020. These are also referred to as pregnant and parenting services.

"Medically fragile" means the condition of a child or youth who requires the availability of 24-hour skilled care from health care staff or specially trained staff in a group care setting. If the technology, support, and services being received by the medically fragile children or youth are interrupted or denied, they may, without immediate health care intervention, experience death. These conditions may be present all the time or frequently occurring.

"Medication management" means the process of accepting, storing, and disposing of medication.

"Missing children" means any child or youth placed in a GCF whose whereabouts are unknown or who has left care without the permission of their caregiver or the department. This does not include children or youth in dependency guardianships or youth in the EFC program.

"Multidisciplinary teams" means the same as defined in RCW 13.32A.030.

"National Fire Protection Association (NFPA)" means National Fire Protection Association.

"Negative actions" means the same as defined in WAC 110-04-0020.

"Nonbinary" means a term of self-identification for individuals who do not identify within the limited and binary terms that have described gender identity, e.g., female and male. Nonbinary is also an umbrella term for many identities such as gender expansive, gender fluid, and genderqueer.

"Nondirect care staff" means individuals employed and paid by licensees who carry out duties and tasks, other than providing direct care to children and youth, for a GCF.

"Nondirect care volunteers" means individuals who carry out duties and tasks, other than providing direct care to children and youth, for a GCF without being employed or compensated by the licensee.

"Nursing assistant-certified (CNA)" means the same as defined in RCW 18.88A.020.

"Nursing assistant-registered (NAR)" means the same as defined in RCW 18.88A.020.

"Other weapons" means instruments other than firearms intentionally designed to cause bodily harm or physical damage. These include, but are not limited to, BB guns, pellet guns, air rifles, stun guns, and archery equipment.

"Out-of-home care" means the same as defined in RCW 13.34.030.

"Over-the-counter medications" means drugs that can be obtained without a prescription and their use is not restricted by a licensed health care provider. For the purpose of this chapter this includes, but is not limited to, herbal supplements, vitamins, eye drops, ointments, and pain relievers.

"Overnight youth shelters (OYSS)" means licensed nonprofit agencies that provide overnight shelter to homeless or runaway youth in need of emergency sleeping arrangements.

"Parents" means the same as defined in RCW 26.26A.010.

"Personnel" means every paid and unpaid individual working directly for the licensee, including interns.

"Premises" means homes, buildings, and grounds, including those adjacent to the residential property, that are owned, rented, or managed by applicants or licensees.

"Probationary licenses" means the same as defined in RCW 74.15.020.

"Psychotropic medication" means a type of medicine that is prescribed to affect or alter thought processes, mood, sleep, or behavior. These include antipsychotic, antidepressant, and anti-anxiety medications.

"Queer" means LGBTQIA+ identities and orientations. The term is sometimes used as an umbrella term for all LGBTQIA+ individuals.

"Questioning" means individuals who are exploring their sexual orientation, gender identity, or gender expression at any age.

"Registered nurses (RNs)" means nurse as defined in RCW 18.79.020.

"Relatives" means the same as defined in RCW 13.36.020(5), described in RCW 74.15.020(2), or caregivers of Indian children or youth who are defined by tribal code or customs as relatives or extended family.

"Representatives" means the individuals responsible for placing children or youth in care, including:

- (a) Caseworkers for department children or youth;
- (b) Caseworkers for enrolled tribal children or youth; or
- (c) LICWAC for unenrolled tribal children or youth with native ancestry;
- (d) Parents or guardians of community children or youth.

"Resource and assessment centers (RACs)" means the same as defined in RCW 74.15.020.

"Secure crisis residential centers (CRCs)" means licensed facilities open 24 hours a day, seven days a week that provide temporary residential placement, assessment, and services in secure facilities to prevent youth from leaving the facility without permission, per RCW 13.32A.030.

"Semi-secure crisis residential centers (CRCs)" means licensed facilities open 24 hours a day, seven days a week that provide temporary residential placement, assessment, and services for runaway youth and youth in conflict with their family or in need of emergency placement. Semi-secure CRCs are not locked facilities but are operated in a way that reasonably assures that youth placed there will not leave without permission, per RCW 13.32A.030.

"Sexual orientation" means an individual's emotional or physical attraction to other individuals.

"Sexual orientation, gender identity, and expression (SOGIE)" means distinct identifiers everyone has. LGBTQIA+ is a subdistinction within SOGIE self-identifiers. SOGIE includes LGBTQIA+ as well as heterosexual, cisgender, and nonquestioning individuals.

"Staffed residential homes (SRHs)" means licensed homes that provide 24-hour care to six or fewer children and youth who require more supervision than can be provided in a foster home.

"Supervise" or "supervision" means to be responsible for the children and youth in care, including their safety and well-being.

"Supportive individuals" means any nonrelatives identified by the children or youth that are important to them.

"Transgender" means an umbrella term for individuals whose gender identity or expression is different from cultural expectations based on the sex they were assigned at birth. Gender-affirming medical care is not a prerequisite to identify as transgender. Being transgender does not imply any specific sexual orientation.

"Treatment plans" means individual plans that identify the service needs of children or youth, including their parents or guardians, and the treatment goals and strategies for achieving those goals.

"Tribal children or youth" means dependent children or youth of a federally recognized tribal government, state-dependent children or youth who are enrolled in a federally recognized tribe, dependent children or youth with concurrent jurisdiction, or unenrolled children or youth with native ancestry.

"Tuberculosis (TB)" means a contagious infection caused by the Mycobacterium tuberculosis bacteria.

"Two-Spirit" means a modern umbrella term used by some Native Americans to describe Native American individuals in their communities who fulfill a traditional third-gender or other gender-variant, ceremonial, and social role in their cultures. Being Two-Spirit does not imply any specific sexual orientation.

"Underwriters laboratories (UL)" means Underwriters Laboratories Standards and Engagement, a company that tests and certifies products and equipment for safety.

"Washington state patrol fire protection bureau (WSP/FPB)" means the Washington state fire marshal.

"Well-being file" means a collection of children's or youth's records related to their care and services while in the licensee's care.

NEW SECTION

WAC 110-145-2320 Nondiscrimination. Licensees must meet nondiscrimination requirements by:

(1) Following all state and federal laws regarding nondiscrimination when providing services to children and youth in care; and

(2) Supporting and engaging children and youth in care with dignity and respect regardless of actual or perceived race, ethnicity, religion, culture, or SOGIE.

REQUIRED LICENSES

NEW SECTION

WAC 110-145-2330 License required to care for children and youth. (1) Individuals or entities must have a license to provide care on a 24-hour basis to children or youth who are not related to them, except:

- (a) As outlined in RCW 74.15.020; or
- (b) By court order under chapter 74.15 RCW or RCW 13.34.065.

(2) The department will issue a license when applicants, their personnel, and the premises:

- (a) Meet the licensing regulations contained in this chapter; and
- (b) Submit all required documents to the department.

(3) Applicants for a new license must provide documentation that all direct care staff and direct care volunteers have completed behavior management training that has been approved by the department.

(4) Licenses are valid:

(a) For a three-year period;

(b) Only for the individual or entity named on the license; and

(c) Only for the specific address listed on the license.

(5) Licensees must post the licenses where the public can easily view them.

NEW SECTION

WAC 110-145-2340 Multiple licenses in the same building. (1)

Licensees may apply for more than one license type for the same building. Applications must:

(a) Include a plan detailing how each licensing type will be managed; and

(b) Comply with the requirements for all licenses being applied for. If requirements differ, licensees must comply with the most stringent requirement.

(2) The department may:

(a) Approve multiple licenses for the same building when the care of one type of client does not interfere with the care of another type of client; and

(b) Require separation of resident populations between the programs for the safety and well-being of children and youth in care.

(3) Licensees must complete the following if they have multiple licenses from different agencies in the same location:

(a) Obtain approval from the department prior to providing services and accepting placements; and

(b) Notify:

(i) The Washington state fire marshal; and

(ii) All licensing agents.

NEW SECTION

WAC 110-145-2350 Licensing and contract requirements. Licensees

that also hold federal or state contracts must comply with the:

(1) Licensing requirements in this chapter; and

(2) Most stringent requirements if the licensing requirements in this chapter differ from their contract requirements or any federal or state laws.

LICENSING PROCESS

NEW SECTION

WAC 110-145-2360 License application requirements. (1) To apply for a license to provide care to children and youth, applicants must:

- (a) Be at least 21 years old;
- (b) Submit the following completed documents to the department:
 - (i) Licensing application;
 - (ii) Background authorization forms for personnel at the GCF as outlined in chapter 110-04 WAC, including those not directly working with children;
 - (iii) A detailed written program description for department approval that includes:
 - (A) The applicant's mission and goals; and
 - (B) A description of the services the agency will provide to children, youth, and their families;
 - (iv) Agency's policies and procedures including, but not limited to, policies regarding:
 - (A) Staff qualifications;
 - (B) Staff duties;
 - (C) Ongoing training for developing personnel skills and abilities; and
 - (D) How they will meet the requirements of this chapter;
 - (v) Emergency and evacuation plans; and
 - (vi) Certificate of occupancy or equivalent approval, per WAC 110-145-2420; and
- (c) Complete their licensing application by submitting all required documents within 90 calendar days of submitting the application and background authorization forms to the department.

(2) If the applicant does not meet the 90-day deadline, the department may withdraw the application.

(3) Prior to licensing:

- (a) The department will conduct a site inspection to verify that the premises meet the requirements under this chapter; and
- (b) All group care agencies described in this chapter must:
 - (i) Meet the health requirements and receive a certificate of compliance from DOH; and
 - (ii) Be inspected and approved by the state fire marshal when required.

NEW SECTION

WAC 110-145-2370 Determining applicants' and licensees' suitability. (1) The department will determine the suitability of applicants and licensees after receiving:

- (a) Licensing applications;

(b) Background authorizations for the individuals listed in WAC 110-145-2360; and

(c) All documentation required under this chapter.

(2) Applicants and licensees must pass a background check, per chapter 110-04 WAC.

(3) During the licensing process, applicants and licensees must demonstrate that they have the:

(a) Understanding, ability, physical health, emotional stability, and personality suited to meet the physical, mental, emotional, cultural, and social needs of the children and youth in care; and

(b) Ability to provide children and youth in care with a nurturing, respectful, and supportive environment regardless of the child's or youth's actual or perceived race, ethnicity, religion, culture, or SOGIE.

(4) During the licensing process, the department may require:

(a) Applicants and licensees to provide additional information at any time;

(b) An evaluation of the premises; or

(c) An evaluation of the applicant or licensee and their personnel by an evaluator recommended by the department.

(5) When the department requires an evaluation, applicants or licensees must:

(a) Pay any related costs for evaluations required by the department; and

(b) Give written permission for the evaluator to exchange information with the department prior to and throughout the evaluation process.

(6) The department may disqualify any individuals found to have misrepresented or provided fraudulent information.

(7) LD licensors must complete the following before granting or renewing a license:

(a) Evaluate the applicants' or licensees' ability to provide a safe environment and the quality of care needed for the children and youth in care; and

(b) Verify that the applicants or licensees have met the training requirements.

NEW SECTION

WAC 110-145-2380 Disqualification of applicants and licensees.

The department:

(1) Must:

(a) Disqualify applicants, licensees, their personnel, or subcontractors if they do not pass a background check, per chapter 110-04 WAC; and

(b) Notify licensees when their personnel are disqualified from having access to children and youth in care; and

(2) May take an action against a license, per WAC 110-145-3560, if a licensee or applicant:

(a) Does not meet the regulations of this chapter;

(b) Hires an individual disqualified by the department; or

(c) Continues to allow an individual disqualified by the department access to children and youth in care.

NEW SECTION

WAC 110-145-2390 Determining license capacity. (1) The department:

- (a) Will issue licenses that specify the licensed capacity of children and youth licensees may have placed in their GCF;
 - (b) Determines capacity by evaluating the following:
 - (i) Licensees' ability to care for children and youth;
 - (ii) Number of individuals providing care and their skills;
 - (iii) Physical accommodations of the facility;
 - (iv) The ages and needs of the children and youth who may be placed in their facility; and
 - (v) The certificate of occupancy issued by the municipality's building department, except SRHs licensed for five or fewer children or youth do not require a certificate of occupancy; and
 - (c) May issue a license with a lower capacity than the license type allows, based on their evaluation.
- (2) Licensees must not exceed the capacity on their license, unless an exception is approved by LD, per WAC 110-145-3540.
- (3) In order to be licensed to care for children younger than six years old, unless otherwise allowed by their license type, licensees must either care for:
- (a) Children or youth:
 - (i) With developmental disabilities; or
 - (ii) That are medically fragile; or
 - (b) Pregnant or parenting youth.

NEW SECTION

WAC 110-145-2400 License renewal requirements. Licensees must send their renewal application and all required background authorization forms to the LD licensor at least 90 calendar days prior to the expiration of the current license.

NEW SECTION

WAC 110-145-2410 Department access to facilities. Licensees must allow the department to:

- (1) Access the:
 - (a) Licensed premises, personnel, and children and youth in care at any time; and
 - (b) Documents related to the licensee's program when determining whether they are in compliance with:
 - (i) Chapter 26.44 RCW;
 - (ii) Chapter 74.15 RCW;
 - (iii) RCW 74.13.031; and
 - (iv) This chapter;
- (2) Meet privately with personnel and children and youth in care at the department's request.

ENVIRONMENT, SPACE, AND FURNISHINGS

NEW SECTION

WAC 110-145-2420 Certificates, zoning, and codes regulations.

(1) Licensees must:

(a) Obtain a certificate of occupancy or equivalent approval; and
(b) Follow all local and state regulations including, but not limited to:

- (i) Zoning regulations;
- (ii) Community covenants;
- (iii) Local building codes; and
- (iv) Fire codes.

(2) The department may require licensees to provide proof of compliance with local regulations.

NEW SECTION

WAC 110-145-2430 Building and premises general requirements.

Licensees must comply with the following requirements in the building and on the premises for:

(1) **General requirements:**

(a) Maintain the premises, furnishings, and equipment in a clean and sanitary condition, free of hazards, and in good repair;

(b) Maintain the temperature within the facility at a reasonable level when occupied, considering the age and needs of the children and youth in care; and

(c) Provide:

(i) A safe, healthy, age-appropriate, homelike living environment;

(ii) Appropriate furnishings, based on the activities and developmental capabilities of the children and youth in care;

(iii) Rooms that are appropriately sized and properly furnished for the number of children and youth in care;

(iv) Adequate indoor and outdoor space, ventilation, light, and heat to meet the health and comfort needs of the children and youth placed in the facility based on the facility's licensed capacity; and

(v) A landline or cell phone that works at all times with reliable reception and a backup power source that:

(A) Allows individuals calling the facility to leave a message at all times. Licensees 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 facility; and

(B) Children and youth are able to use privately, per WAC 110-145-3020;

(2) **Specific room requirements**, have:

(a) A properly equipped and maintained kitchen on-site to prepare, store, and serve food to the children and youth in care;

(b) A dining room that is ample in size and suitably furnished for the children and youth in care;

(c) A room or area that is used as an administrative office and suitable office space for care coordinators. In facilities caring for fewer than 13 children and youth, these offices may be combined;

(d) Adequate storage for children's, youth's, and personnel files;

(e) A space that can be used as a visiting area;

(f) A space for privacy when interviewing parents, guardians, children, and youth; and

(g) Washable, water-resistant floors in bathrooms, kitchens, and other rooms exposed to moisture, except washable short-pile carpeting may be approved in kitchen areas if it is kept clean and sanitary;

(3) Safety requirements:

(a) Provide tamper-proof or tamper-resistant electrical outlets or blank covers installed in areas accessible to children under six years old or other individuals with limited capacity or who might be endangered by access to them;

(b) Follow the EPA standards by using the least toxic methods as appropriate to prevent and control pests on the premises such as rodents, bedbugs, lice, flies, cockroaches, fleas, and other insects;

(c) Document weekly inspections of any security and safety devices, such as door and window alarms;

(d) Use unbreakable light fixture covers or shatter-resistant light bulbs or tubes in:

(i) Food preparation areas;

(ii) Dining areas; and

(iii) Any other areas identified by LD to be a concern for the safety of children or youth; and

(e) Not use window blinds or other window coverings with pull cords capable of forming a loop and posing a risk of strangulation to children and youth;

(4) Emergency requirements:

(a) Have emergency lighting devices available and in operational condition;

(b) Verify rooms occupied by children and youth can be easily accessed by emergency personnel in case an emergency arises as outlined in WAC 110-145-2600;

(c) Post emergency phone numbers, contact information for suicide and crisis hotlines and the Washington poison center, and the physical address of the facility in a prominent location;

(d) Use doors that are easy to open from the inside and outside in all areas of the facility that are occupied, including closets, bathrooms, and bedrooms, unless the building or structure has a fire sprinkler protection system and was previously approved by the local fire marshal or building official with jurisdiction; and

(e) Provide easy access to the outside in case of an emergency; and

(5) Specific building requirements:

(a) Be located on a site that is free from hazardous conditions and drained appropriately to prevent water hazards; and

(b) If a hazardous condition occurs on the premises:

(i) Take immediate action to protect the children and youth in care from harm; and

(ii) Notify the licensor.

NEW SECTION

WAC 110-145-2440 Firearms, ammunition, and other weapons. (1)

Firearms are not allowed on the premises, except for law enforcement.

(2) Ammunition and other weapons are not allowed on the premises, except for:

- (a) Law enforcement; and
- (b) OYSS as outlined in WAC 110-145-3400.

(3) Licensees must develop and follow their policy and procedures approved by the department for firearms, ammunition, and other weapons that includes:

- (a) Protocols to keep children and youth safe if firearms, ammunition, or other weapons are found on the premises;
- (b) Safe disposal of firearms, ammunition, and other weapons found on the premises; and
- (c) Actions to take if children or youth use a common item as a weapon.

NEW SECTION

WAC 110-145-2450 Storing dangerous chemicals and toxic substances. Licensees must:

(1) Store dangerous chemicals in a place that is inaccessible 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;

(2) Clearly label containers when they are filled with toxic substances from a stock supply; and

(3) Store toxic substances separately from food items.

NEW SECTION

WAC 110-145-2460 Electronic monitoring of children and youth.

(1) Licensees must not use electronic monitoring of children and youth in care in the interior of GCFs except:

- (a) As described in subsection (2) of this section; or
- (b) If all the following are met:

(i) The use of electronic monitoring in the facility is approved by LD following a request by the caseworker for a department or tribal child or youth;

(ii) The court approves implementation of electronic monitoring as part of the child's or youth's case plan; and

(iii) They maintain a copy of the approvals.

(2) Licensees may use electronic monitoring of the following without the requirements in subsection (1) of this section:

- (a) Infants or children age birth through four years old;

- (b) Medically fragile or sick children or youth;
- (c) To document actions of a child or youth as directed in writing by the child's or youth's licensed health care provider;
- (d) For special events such as birthday parties or vacations; or
- (e) The use of door or window alarms or motion detectors.

NEW SECTION

WAC 110-145-2470 Time-delay mechanisms on windows and doors.

Licensees may use time-delay mechanisms on windows and doors except for SRHs licensed for five or fewer children or youth, if:

- (1) Approved by the department;
- (2) They meet the fire codes and are approved by the state fire marshal;
- (3) There is an exterior door that provides escape in the event of an evacuation; and
- (4) The time-delay mechanisms automatically unlock when the fire alarm goes off.

NEW SECTION

WAC 110-145-2480 Water, garbage, and sewer. (1) Licensees must:

- (a) Maintain adequate sewage and garbage facilities;
 - (b) Not allow running water to exceed 120 degrees Fahrenheit; and
 - (c) Provide individual drinking cups or glasses, paper cups, or drinking fountains.
- (2) Licensed buildings must:
- (a) Be connected to a public sewer system or have an on-site sewage system permitted by the local health department or DOH; and
 - (b) Have access to either:
 - (i) Public water supplies approved by the local health district or tribal government; or
 - (ii) Private water supplies that have been tested and approved:
 - (A) By the local health district or a private water-testing laboratory approved by DOH; and
 - (B) At the time of:
 - (I) Licensing;
 - (II) License renewal; and
 - (III) Any time the department deems necessary.

NEW SECTION

WAC 110-145-2490 Laundry and clothing. Licensees must meet the following requirements for laundry and clothing:

- (1) Provide children and youth in care access to appropriate clean clothing that fits;
- (2) Store soiled and clean laundry separately;
- (3) Either:

- (a) Maintain adequate equipment for washing and drying laundry that is:
 - (i) Located in an area separate from the kitchen and living spaces; and
 - (ii) Inaccessible to children ages birth through five years old;
 or
- (b) Make other arrangements for getting laundry done on a regular basis;
- (4) Sanitize laundry; and
- (5) Ventilate laundry dryers to the outside of the facility.

NEW SECTION

WAC 110-145-2500 Bathrooms and bathing facilities. Licensees must:

- (1) Provide:
 - (a) Toilets and handwashing sinks appropriate to the height for children and youth in care or have a safe step stool or platform that is water-resistant and easy to clean;
 - (b) Soap and clean towels, disposable towels, or other approved hand-drying devices to children and youth; and
 - (c) Grab-bars or nonskid pads convenient for children and youth; and
- (2) Maintain the following ratio of toilets, handwashing sinks, and bathing facilities. Children or youth who do not use a toilet are not included when determining the number of required flush-type toilets.

Facility	Toilets (flush-type)	Handwashing (hot and cold running water)	Bathing facilities (hot and cold running water)
GCFs licensed for 5 or fewer	At least 1	At least 1	At least 1
GCFs licensed for 6 or more	At least 2 1:8 ratio	At least 2 1:8 ratio	At least 2 1:8 ratio

NEW SECTION

WAC 110-145-2510 Bedrooms and sleeping areas. (1) Licensees must provide each child and youth a single or shared bedroom with privacy and space that adequately meets their developmental capabilities, except:

- (a) Interim facilities may use common sleeping areas for children and youth in care instead of bedrooms; and
- (b) Facilities licensed as OYSS must also meet the requirements in WAC 110-145-3390.
- (2) Bedrooms must have:
 - (a) Adequate ceiling height for the safety and comfort of the children or youth;
 - (b) At least two means of exit from the bedroom, including one of each of the following:
 - (i) A window or door that:

- (A) Opens to the outside;
- (B) Allows natural light into the bedroom; and
- (C) Permits emergency access or exit; and
- (ii) A door giving direct access to common use areas such as hallways, corridors, or living rooms.
- (3) Licensees may use a building or structure that does not meet the requirements of subsection (2)(b)(i) of this section with approval by the department if it:
 - (a) Has a fire sprinkler protection system; and
 - (b) Was approved by the local fire marshal or building official with jurisdiction.
- (4) Licensees must not use:
 - (a) Bathrooms, kitchens, or unfinished basements as bedrooms; or
 - (b) Common areas such as hallways, living rooms, or dining rooms as bedrooms for anyone living in the facility without:
 - (i) Approval by the department; and
 - (ii) Notification of the child's or youth's representative.

NEW SECTION

- WAC 110-145-2520 Shared bedrooms.** (1) Licensees using shared bedrooms:
- (a) Must:
 - (i) Consider input received from the following when considering what bedroom placement is in the best interest of a child or youth:
 - (A) The child or youth; and
 - (B) Their representative;
 - (ii) Evaluate children's or youth's requests to move to a different sleeping location and accommodate them unless it would risk the safety and well-being of any child or youth in the home;
 - (iii) Provide enough floor space for the safety and comfort for children and youth in care when they are sharing bedrooms; and
 - (iv) Not allow:
 - (A) More than four children or youth to sleep in the same bedroom, except for common sleeping areas in interim facilities; and
 - (B) Children with different gender identities to share a bedroom unless all children are:
 - (I) Age birth through five years old; or
 - (II) Siblings; and
 - (b) May place transgender or genderfluid children or youth in bedrooms with children or youth of similar gender identity.
 - (2) The department may grant an exception to subsection (1)(a)(iv) of this section with approval by an LD administrator if:
 - (a) It is in the best interest of the children or youth in care; and
 - (b) Supported by the:
 - (i) LD licensor; and
 - (ii) Child's or youth's representative.

NEW SECTION

WAC 110-145-2530 Sleeping equipment and bedding. (1) Licensees must provide appropriate-sized separate beds that are in good condition for all children and youth in care, with a:

- (a) Mattress;
 - (b) Bed frame, unless the bed frame is not appropriate because of the child's or youth's preference or medical or cultural needs; and
 - (c) Clean bedding.
- (2) Licensees must:
- (a) Not allow children or youth to use loft-style beds or upper bunks if it is not safe for them because of their developmental capabilities or if they are pregnant;
 - (b) Provide waterproof mattress covers or moisture-resistant mattresses if needed; and
 - (c) Cover children's and youth's pillows with waterproof material or provide washable pillows.
- (3) Licensees may provide mats for napping but not as a substitute for beds overnight.
- (4) Licensees licensed to care for infants:
- (a) Must:
 - (i) Provide infants with safe cribs that comply with chapter 70.111 RCW, Infant Crib Safety Act, including:
 - (A) A maximum of 2 and 3/8 inches between vertical slats of the crib;
 - (B) Cribs, infant beds, bassinets, and playpens made of wood, metal, or approved plastic, with secure latching devices; and
 - (C) Clean, firm, snug-fitting mattresses covered with waterproof material that can easily be disinfected;
 - (ii) Place infants on their backs for sleeping, unless advised differently by the infant's licensed health care provider;
 - (iii) Not have loose blankets, pillows, crib bumpers, or stuffed toys with sleeping infants;
 - (iv) Not use wedges and positioners with sleeping infants unless advised differently by the infant's licensed health care provider; and
 - (v) Comply with any plans made in compliance with WAC 110-145-3060 regarding baby boards or moss bags;
 - (b) May swaddle infants:
 - (i) Under two months old, unless directed otherwise by a licensed health care provider; and
 - (ii) Over two months old only when advised by a licensed health care provider; and
 - (c) When swaddling infants, licensees 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.
- (5) Licensees, prior to using weighted blankets, must:
- (a) Evaluate if there are safety concerns for a child's or youth's use of a weighted blanket;
 - (b) Only use weighted blankets under the following conditions:
 - (i) If the child is three years old or older;
 - (ii) With an order from a licensed health care provider or occupational therapist;

- (iii) When they do not:
 - (A) Exceed 10 percent of the child's or youth's body weight;
 - (B) Contain metal beads; and
 - (C) Hinder children's or youth's movement;
- (iv) When they are not homemade;
- (c) Not place weighted blankets over children's or youth's heads or above the middle of their chests; and
- (d) Not use weighted blankets as restraints.
- (6) If children or youth are admitted with a weighted blanket without an order from a licensed health care provider or occupational therapist, licensees:
 - (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 allow children or youth to use their weighted blanket as outlined in subsection (5)(a) through (c) 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.

NEW SECTION

WAC 110-145-2540 Indoor areas for recreation, informal educational activities, and physical or occupational therapy. (1) Licensees must have a room or area inside the facility that is suitable for recreational and informal educational activities appropriate to the developmental capabilities of the children and youth in care. The size of the room or area must:

- (a) Be appropriate for the licensed capacity of the facility;
 - (b) Be adequate for children and youth play; and
 - (c) Have sufficient space to store supplies and equipment for a developmentally appropriate program.
- (2) If licensees care for children or youth with developmental disabilities and their licensed health care provider prescribes them physical or occupational therapy, licensees must:
- (a) Provide a room in their facility for the physical and occupational therapy sessions that:
 - (i) Meets the developmental capabilities of the children or youth; and
 - (ii) Has space to store the therapy equipment; or
 - (b) Arrange for children or youth to access physical and occupational therapy in the local community.

NEW SECTION

WAC 110-145-2550 Outdoor recreation areas. Licensees must develop and follow policies and procedures approved by the department for providing appropriate supervision and a safe outdoor recreation space that meets the children's and youth's age and developmental capabilities.

NEW SECTION

WAC 110-145-2560 Swimming pools and other bodies of water on the premises. Licensees must complete the following if there are swimming pools or other bodies of water on the premises:

- (1) Keep them fenced with a locking gate or other safety device approved by LD;
- (2) Lock hot tubs when not in use;
- (3) Make all potential water hazards, including wading pools, inaccessible to children and youth in care when not in use;
- (4) Comply with the supervision requirements in WAC 110-145-2830;
- (5) Work with the department to establish a plan for the body of water based on the developmental capabilities of the children and youth in care; and
- (6) Verify all bodies of water on the premises comply with state and local regulations.

NEW SECTION

WAC 110-145-2570 Pets and animals. (1) Licensees must:

- (a) Care for all animals housed on the premises in a safe and sanitary manner;
 - (b) Comply with city, county, state, and federal statutes and regulations regarding:
 - (i) Animal safety;
 - (ii) Vaccinations; and
 - (iii) Standard veterinary care;
 - (c) Verify interactions between children and youth in care and the animals are appropriate and safe; and
 - (d) Not have an animal on the premises that is dangerous or aggressive to children and youth.
- (2) The department has the discretion to limit the type and number of pets and animals in the facility if the department determines there are risks to the child and youth in care.

EMERGENCY PRACTICES AND FIRE SAFETY

NEW SECTION

WAC 110-145-2580 Emergency and evacuation plans. Licensees must:

- (1) Evaluate their risk for emergencies;
- (2) Develop written emergency plans based on the evaluation in subsection (1) of this section that includes:

- (a) At a minimum, responses to the following types of emergencies:
- (i) Hostile individuals on the premises;
 - (ii) Fires; and
 - (iii) Natural disasters; and
- (b) A written evacuation plan that:
- (i) Reflects the developmental capabilities of the children and youth in care; and
 - (ii) Includes:
 - (A) Actions to be taken:
 - (I) By the individuals discovering the emergency while waiting for the emergency responders;
 - (II) Following the emergency; and
 - (III) Reporting the emergency to the department as outlined in WAC 110-145-2780;
 - (B) Evacuation of the building in a manner that is safe for children, youth, and personnel; 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 facility has an integrated fire suppression system that includes both smoke detectors and carbon monoxide detectors;
- (3) Submit their emergency plans to the department for approval as required in WAC 110-145-2360 and when there are changes;
- (4) Store their emergency plans in a manner that is readily available to personnel, children, and youth;
- (5) Educate children and youth based on their developmental capabilities about the emergency plans at admission;
- (6) Practice and document the response to hostile individuals and natural disasters with children and youth in care quarterly appropriate to their developmental capabilities; and
- (7) Post a copy of the evacuation floor plan at each exit door.

NEW SECTION

WAC 110-145-2590 First-aid supplies. Licensees must:

- (1) Keep adequate first-aid supplies on hand for immediate use;
- (2) Have first-aid supplies available to personnel and children or youth as appropriate to their developmental capabilities for immediate use at all times including, but not limited to:
 - (a) Protective nonlatex gloves;
 - (b) Bandages;
 - (c) Scissors;
 - (d) Compression bandages;
 - (e) Gauze;
 - (f) Tape; and
 - (g) Unbreakable mercury free thermometer.

NEW SECTION

WAC 110-145-2600 Fire safety. (1) This section does not apply to facilities licensed as SRHs for five or fewer children or youth, who must meet local fire safety regulations.

(2) Licensees must:

(a) Comply with the local building and fire codes and the state fire marshal regulations. If requirements differ between these entities, licensees must comply with the most stringent requirement;

(b) Have their address clearly visible on the facility or mailbox so that emergency personnel can easily locate the facility;

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

(d) Be familiar with safety procedures related to fire prevention, including fire drill procedures;

(e) Have easy access to all rooms in the facility in case of emergencies;

(f) Not leave open-flame devices unattended or use them for a purpose other than for what they were designed for; and

(g) Be able to:

(i) Operate all fire extinguishers installed on the premises;

(ii) Test smoke detectors, including single station types;

(iii) Conduct monthly inspections at the facility to identify fire hazards;

(iv) Take action to correct any hazards noted during the inspection; and

(v) Verify:

(A) Children and youth in care are able to escape from every floor in the facility. This may include having one or more functional fire ladders available from upper stories; and

(B) Windows open to the outside that are large enough for emergency personnel to enter and exit wearing rescue gear, unless the building or structure:

(I) Has a fire sprinkler protection system; and

(II) Was previously approved by the local fire marshal or building official with jurisdiction.

(3) Facilities licensed for children age birth through five years old and others who may be endangered based on their developmental capabilities must have barriers for:

(a) Fireplaces;

(b) Wood stoves; and

(c) Other heating systems.

(4) The department may require licensees to have an inspection by the state fire marshal or the local fire authority if:

(a) The department has questions about fire safety; or

(b) Local ordinances or the state fire marshal require these inspections.

NEW SECTION

WAC 110-145-2610 Smoke detectors. Licensees must:

(1) Meet the state fire marshal regulations for smoke detectors and have operating smoke detectors with a strobe, that are:

- (a) Approved by UL or Factory Mutual;
- (b) In compliance with the Americans with Disabilities Act;
- (c) Installed and maintained according to the manufacturer's specifications;
- (d) Located:
 - (i) Both inside and outside of all sleeping areas;
 - (ii) On each story of the facility;
 - (iii) In all play areas; and
 - (iv) In the basement; and
- (e) Tested monthly if using single-station smoke detectors or in the manner specified by the manufacturer; and
- (2) Have a written record on the premises of the date and time the smoke detector tests were completed.

NEW SECTION

WAC 110-145-2620 Carbon monoxide detectors. Licensees must install and maintain single station carbon monoxide alarms that comply with UL 2034:

- (1) In or near each separate sleeping area in the immediate vicinity of the bedrooms;
- (2) On each story of the facility; and
- (3) Per NFPA 72 and the manufacturer's instructions.

NEW SECTION

WAC 110-145-2630 Fire extinguishers. (1) Licensees must:

- (a) Have at least one 2A10BC-rated five pound or larger all-purpose ABC fire extinguisher readily available at all times;
- (b) Mount fire extinguishers in:
 - (i) The area of the normal path of exiting; and
 - (ii) A bracket or a fire extinguisher cabinet so that the top of the extinguisher is no more than five feet above the floor; and
- (c) Add fire extinguishers as needed so that no point in the facility is more than 75 feet from a fire extinguisher;
- (d) Keep at least one fire extinguisher on each story of a multi-level facility;
- (e) Maintain and service fire extinguishers according to manufacturer's specifications; and
- (f) Receive a maintenance certification from a licensed firm specializing in this work for each fire extinguisher that is more than a year old, based on the manufacturer's recommended schedule, including a thorough check of the extinguisher for:
 - (i) Mechanical parts;
 - (ii) Extinguishing agent; and
 - (iii) Expelling means.
- (2) The department may require additional fire extinguishers be available on the premises, in consultation with the local fire authority or state fire marshal.

NEW SECTION

WAC 110-145-2640 Fire drills. Licensees must:

- (1) Conduct a monthly fire drill at varying times of the day and night so that children, youth, and personnel on all shifts practice the procedures;
- (2) Have a written record on the premises of the date and time that all drills were completed; and
- (3) Consult with and follow the state fire marshal protocol for simulated fire drills when caring for nonambulatory children or youth.

DUTIES AND QUALIFICATIONS FOR LICENSEES AND PERSONNEL

NEW SECTION

WAC 110-145-2650 General requirements for licensees. (1) Licensees must follow these requirements for their personnel:

- (a) Demonstrate competency, good judgment, and self-control in the presence of children and youth in care and when performing duties;
 - (b) Know and comply with rules established in this chapter as well as all other applicable laws;
 - (c) Develop and follow communication policies and procedures approved by the department detailing how individuals on all shifts will communicate with:
 - (i) Children and youth in care appropriate to their language and developmental capabilities;
 - (ii) The department;
 - (iii) Health care providers; and
 - (iv) Other service providers;
 - (d) Submit completed background authorization forms as outlined in chapter 110-04 WAC;
 - (e) Not allow individuals to work at the facility until the department issues a background check clearance authorization for them; and
 - (f) Report suspected abuse, neglect, and exploitation to the department intake.
- (2) Health care personnel working and performing health care duties at a GCF must:
- (a) Meet the full professional competency requirements in their respective field; and
 - (b) Maintain their certification or licensure as required.
- (3) Licensees providing clinical services in their facility to children or youth in their care must follow the DOH licensing requirements.
- (4) Licensees must use the department's TB screening form to screen personnel for TB, except for licensees who care for medically fragile children and youth, at the following times:

- (a) Prior to licensure; or
- (b) Upon hire; and
- (c) At license renewal.
- (5) Licensees caring for medically fragile children and youth must follow DOH licensing requirements for TB screening.
- (6) Licensees caring for children under two years old must have documentation on-site verifying they have current pertussis and influenza vaccinations.
- (7) The department may grant an exception to subsection (6) of this section for individuals who provide documentation from a licensed health care provider stating that the influenza vaccination would result in severe medical consequences and that there is no safe alternative form of the influenza vaccine available.

NEW SECTION

WAC 110-145-2660 Duties and qualifications for executive directors or administrators in GCFs. (1) Executive directors or administrators in GCFs must:

- (a) Manage the financial, administrative, and service operations of the agency;
 - (b) Be available by phone during the regularly scheduled business hours of the facility and on-site as needed;
 - (c) Verify the agency complies with all relevant and applicable laws, including chapter 74.15RCW, and the licensing rules in this chapter;
 - (d) Communicate to the department the roles, expectations, and purposes of the program;
 - (e) Assume responsibility for creating and maintaining standards that protect the safety and well-being of children and youth in the licensee's care;
 - (f) Comply with any professional accreditation requirements that apply to the agency;
 - (g) Work with representatives of other agencies;
 - (h) Have at least one year of full-time experience that can be applied to or transferrable to the demographic of children and youth in the GCF;
 - (i) Be able to demonstrate the skills and abilities relevant to administrative oversight and program and fiscal management of an agency as indicated in the agency's policies and procedures; and
 - (j) 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 differ from the terms in a written and signed agreement, they must comply with the most stringent requirement.
- (2) Licensees must notify the LD licensor within 48 hours if the executive director or administrator position is vacated or the executive director or administrator has circumstances that prevent them from carrying out their job duties and responsibilities with a plan for how the duties will be accomplished until the:
- (a) Vacancy is filled; or
 - (b) Executive director or administrator can resume their duties.

NEW SECTION

WAC 110-145-2670 Duties and qualifications for program managers in GCFs. (1) Licensees must meet the following program manager requirements in GCFs:

- (a) Have at least one full-time program manager; and
- (b) Identify the key time periods when the program manager is expected to be on-site at the facility in either their:
 - (i) Policies and procedures approved by the department; or
 - (ii) Program manager position description.
- (2) Program managers must:
 - (a) Coordinate and oversee the day-to-day programming provided to children and youth in care;
 - (b) Supervise care coordinators, direct care staff, and direct care volunteers;
 - (c) Either be available by phone or have a designated individual acting in their absence when they are not able to be on-site during identified key time periods;
 - (d) Monitor personnel development and training;
 - (e) Verify the plans contained in each child's and youth's well-being file are accurate and completed;
 - (f) Comply with any professional accreditation requirements that apply to the agency;
 - (g) Have one of the following:
 - (i) A bachelor's degree from an accredited college or university and at least one year of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care to include supervisory experience. Lived experience may count toward six months of the experience requirement;
 - (ii) An associate degree or have completed 90 quarter credits or 60 semester credits from an accredited college or university and at least two years of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care, to include supervisory experience. Lived experience may count toward meeting one year of the experience requirement; or
 - (iii) At least three years of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care to include supervisory experience. Lived experience may count toward meeting one year of the experience requirement; and
 - (h) Meet additional duties and qualifications detailed in any agreement between the agency and any governmental entity, if applicable. If the requirements of this section differ from the terms in an agreement, they must comply with the most stringent requirement.
- (3) Licensees must notify the LD licenser within 48 hours if the program manager position is vacated or the program manager has circumstances that prevent them from carrying out their job duties and responsibilities with a plan for how the program manager duties will be accomplished until the:
 - (a) Vacancy is filled; or
 - (b) Program manager can resume their duties.

NEW SECTION

WAC 110-145-2680 Duties and qualifications for care coordinators in GCFs. (1) Licensees must have at least one care coordinator in GCFs who coordinates services for individual children and youth in care, except for:

(a) Interim facilities; and

(b) Children and youth whose care and services are coordinated by another state agency.

(2) Licensees may require more than one care coordinator as outlined in WAC 110-145-2820.

(3) Care coordinators must have one of the following:

(a) A bachelor's degree from an accredited college or university and at least one year of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care. Lived experience may count toward meeting six months of the experience requirement;

(b) An associate degree or have completed 90 quarter credits or 60 semester credits from an accredited college or university and at least two years of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care. Lived experience may count toward meeting one year of the experience requirement; or

(c) At least three years of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care. Lived experience may count toward meeting one year of the experience requirement.

(4) Care coordinators must maintain training, experience, knowledge, and demonstrated skills in each area they will be coordinating.

(5) Agencies may use care coordinators employed by or provided by another agency if:

(a) The care coordinator meets the experience and education requirements in this section; and

(b) There is a written agreement between the agencies describing the scope of services to be provided by the care coordinator.

(6) Care coordinators 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 differ from the terms in a written and signed agreement, they must comply with the most stringent requirement.

(7) Licensees must notify the LD licenser within 48 hours if the care coordinator position is vacated or the care coordinator has circumstances that prevent them from carrying out their job duties and responsibilities with a plan for how the care coordinator duties will be accomplished until the:

(a) Vacancy is filled; or

(b) Care coordinator can resume their duties.

NEW SECTION

WAC 110-145-2690 Duties and qualifications of direct care staff and direct care volunteers in GCFs. (1) Licensees must meet the fol-

lowing requirements for direct care staff and direct care volunteers in GCFs:

- (a) Maintain sufficient numbers of direct care staff and direct care volunteers for the safety and well-being of children and youth in care; and

- (b) Develop and follow written policies and procedures approved by the department that describe the duties, responsibilities, professional qualifications, and safety requirements for direct care staff and direct care volunteers.

- (2) Direct care staff and direct care volunteers must provide children and youth in care with:

- (a) Appropriate adult supervision as outlined in WAC 110-145-2830;

- (b) Emotional support including, but not limited to, promoting emotional regulation;

- (c) Personal attention; and

- (d) Structured daily routines, basic life skills and living experiences as established by licensees and described in agencies' policies and procedures.

- (3) Direct care staff and direct care volunteers must:

- (a) Be at least 21 years of age, except as provided for in subsection (4) of this section;

- (b) Have a high school diploma or equivalent credential;

- (c) Have the skills and abilities to assist with the needs of children and youth in care;

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

- (i) Have at least six months of:

- (A) Full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care;

- (B) Lived experience; or

- (C) A combination of (d)(i)(A) and (B) of this subsection; or

- (ii) Be attending classes at an accredited college or university related to caring for the demographic of children and youth in the licensee's care; and

- (e) Meet additional duties and qualifications detailed in:

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

- (ii) Any written and signed agreements between the agency and any state government entity. If the requirements of this section differ from the terms in a written and signed agreement, they must comply with the most stringent requirement.

- (4) Direct care staff and direct care volunteers, except those working at CRCs, may be between 18 and 21 years of age if they:

- (a) Meet the other requirements detailed in subsection (3) of this section and any other requirements that apply to their facility type; and

- (b) Work:

- (i) At a facility licensed only to provide care for children younger than 13 years of age; or

- (ii) At a facility licensed to provide care for children 13 years of age and older if they work at all times with at least one other direct care staff or direct care volunteer who:

- (A) Is at least 21 years old;

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

- (C) Has at least one year of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licensee's care.

NEW SECTION

WAC 110-145-2700 Duties and qualifications of nondirect care staff and nondirect care volunteers in GCFs. Licensees that have nondirect care staff and nondirect care volunteers who assist personnel in GCFs must verify they meet the following requirements:

- (1) Are at least:
 - (a) Eighteen years old; or
 - (b) Sixteen years old, only at ERCs licensed to care for children or youth younger than 13 years old;
- (2) Are able to carry out the duties for which they are responsible;
- (3) Are not responsible for the supervision or direct care of the children and youth in care; and
- (4) Do not count toward the staff-to-child ratio outlined in WAC 110-145-2820.

NEW SECTION

WAC 110-145-2710 Personnel records. Licensees must maintain a file for each personnel that contains the following records:

- (1) An application or resume that demonstrates the individual meets the experience requirements of the position;
- (2) Transcripts, diploma, or degree that demonstrates the individual meets the postsecondary education requirements of the position, if applicable;
- (3) High school diploma. If unable to provide a high school diploma due to the institution being closed or located outside the United States, the individual may submit an education affidavit form;
- (4) A signed:
 - (a) Job description of the position;
 - (b) Confidentiality statement; and
 - (c) Mandated reporter statement;
- (5) A record of participation in the agency's orientation, pre-service training, and in-service training;
- (6) Documentation of behavior management training;
- (7) Documentation of first-aid, CPR, and bloodborne pathogens training;
- (8) Copy of a valid:
 - (a) Government-issued photo identification;
 - (b) Food worker card, if applicable;
 - (c) Driver's license for staff transporting children or youth;and
- (d) Auto insurance for staff using their private vehicle to transport children or youth in care;
- (9) Background check log, containing the following information:
 - (a) The date the background check was requested and completed;and
- (b) The first day worked in the facility;
- (10) TB screening tool and any additional documentation required based on the screening tool results; and

(11) Record of required personnel immunizations or a medical exemption signed by a licensed health care provider if applicable as outlined in WAC 110-145-2650.

NEW SECTION

WAC 110-145-2720 Personnel fulfilling roles in multiple positions. The same individual may fulfill the roles of multiple positions in GCFs as long as:

- (1) They meet the qualifications and training requirements for each position;
- (2) They fulfill and conduct the duties of only one role at a time; and
- (3) Licensees verify required staffing ratios are maintained.

NEW SECTION

WAC 110-145-2730 Additional personnel to support GCFs. Licensees must have sufficient:

- (1) Clerical, accounting, and administrative services to maintain proper records and carry out their program; and
- (2) Support and maintenance services to:
 - (a) Maintain and repair the premises; and
 - (b) Prepare and serve meals.

TRAINING REQUIREMENTS

NEW SECTION

WAC 110-145-2740 Preservice training. (1) Licensees must meet the following preservice training requirements:

- (a) Train all personnel on the agency's policies and procedures, job responsibilities, and facility administration; and
- (b) Verify personnel complete preservice training requirements in addition to the required:
 - (i) Bloodborne pathogen training outlined in WAC 110-145-2760; and
 - (ii) First-aid and CPR training outlined in WAC 110-145-2770;
- (2) All personnel providing direct care must complete at least 16 hours of preservice training prior to providing direct care to children and youth on topics relevant to the children and youth in care

and the program services the agency provides as outlined in the agency's program description.

(3) Nondirect care staff and nondirect care volunteers must complete at least two hours of preservice training relevant to the children and youth in care.

(4) Preservice training:

(a) Must include:

(i) Foundational training in:

(A) Culturally responsive care;

(B) LGBTQIA+ affirming care; and

(C) Trauma-informed care;

(ii) Child abuse and neglect identification and reporting requirements;

(iii) Client confidentiality; and

(b) May include:

(i) Accessing community resources;

(ii) Child and youth development;

(iii) Commercial sexual exploitation of children and youth;

(iv) Conflict resolution or problem-solving skills;

(v) Cultural needs of children and youth in care;

(vi) Effects of trauma on children;

(vii) Family dynamics and family intervention techniques;

(viii) Fire safety and emergency planning;

(ix) Gang awareness;

(x) Grief and loss;

(xi) Incident reporting;

(xii) Licensing regulations specific to the facility;

(xiii) Sexually aggressive and physically aggressive and assaultive training;

(xiv) Substance abuse, including fentanyl; or

(xv) Youth supervision requirements.

NEW SECTION

WAC 110-145-2750 In-service training. (1) Licensees must meet the following in-service training requirements:

(a) Offer all personnel providing direct care in-service training programs for developing and upgrading skills;

(b) Create a written training plan;

(c) Share any updates to policies, procedures, and rules in this chapter with all personnel; and

(d) Document all training, including a description of the training provided and the date of the training. This information must be kept in each direct care staff's and direct care volunteer's file or in a separate training file.

(2) In-service training requirements are in addition to the required:

(a) Behavior management training, which must:

(i) Be completed within the first 60 calendar days of working in the facility;

(ii) Be approved by the department prior to implementation; and

(iii) Include nonphysical methods of redirecting and controlling behavior that are appropriate to the developmental capabilities of the children and youth in care;

- (b) Bloodborne pathogen training as outlined in WAC 110-145-2760;
- and
- (c) First-aid and CPR training as outlined in WAC 110-145-2770.
- (3) All personnel providing direct care must complete at least 24 hours of in-service training annually on topics relevant to the:
- (a) Needs of the children and youth the facility cares for; and
 - (b) Program services the facility provides as outlined in their program description.
- (4) All personnel must complete training approved by the department within their first six months of employment on the following topics:
- (a) Culturally responsive care;
 - (b) LGBTQIA+ affirming care; and
 - (c) Trauma-informed care.
- (5) In-service training may include, but is not limited to:
- (a) Behavior management techniques;
 - (b) Characteristics and management of sexually aggressive or otherwise predatory behavior and physically assaultive behavior;
 - (c) Child abuse and neglect;
 - (d) Commercial sexual exploitation of children and youth;
 - (e) Conflict resolution or problem-solving skills;
 - (f) Crisis intervention techniques, including verbal de-escalation, positive behavior support, and physical response and restraint training as approved by the department;
 - (g) Cultural diversity;
 - (h) Emergency procedures;
 - (i) Family intervention techniques;
 - (j) Fire safety and emergency planning;
 - (k) Gang awareness;
 - (l) Indian child welfare and working with Indian children;
 - (m) Mediation skills;
 - (n) Mental health issues and interventions;
 - (o) Substance abuse, including fentanyl; or
 - (p) Suicide prevention, assessment, and intervention.

NEW SECTION

WAC 110-145-2760 Bloodborne pathogens training. Licensees must meet the following requirements for bloodborne pathogens training:

- (1) Verify all personnel have completed training on bloodborne pathogens that includes infection control standards prior to working with children and youth in the facility;
- (2) Use infection control requirements and educational material consistent with the current approved curriculum published by DOH; and
- (3) Require all personnel to use universal precautions when they come in contact with bodily fluids.

NEW SECTION

WAC 110-145-2770 First-aid and CPR training. (1) Direct care staff and direct care volunteers must be certified in basic standard

first aid and age-appropriate CPR within the first 90 calendar days of working in the facility.

(2) The first-aid and CPR training must be approved by the department and accredited according to nationally recognized standards, and:

(a) First-aid training may be completed in person or online; and

(b) CPR training must be completed in person.

(3) At least one staff counted in the staff-to-child ratio must have current certification in basic standard first aid and age-appropriate CPR.

REPORTING

NEW SECTION

WAC 110-145-2780 Reporting incidents. (1) Licensees must report the following incidents involving children and youth in their care to the:

(a) Department intake and the child's or youth's representatives immediately, but no later than 48 hours after the following type of incidents:

(i) Death;

(ii) 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;

(iii) Psychiatric care that requires hospitalization;

(iv) Any time licensees or their personnel suspect physical or sexual abuse, neglect, or exploitation of a child or youth as required under chapter 26.44 RCW;

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

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

(vii) Suicidal or homicidal thoughts, gestures, and attempts;

(viii) Drug or alcohol use in the facility by a child or youth;

(ix) Use of prohibited physical restraints for behavior management; and

(x) Commercial sexual exploitation of children and youth;

(b) LD licenser and the child's or youth's representative as soon as possible and no later than 48 hours after the following types of incidents:

(i) A child's or youth's self-inflicted physical injury not intended as a suicide attempt that requires off-site medical treatment;

(ii) Use of physical restraint alleged to have been excessive or improperly applied as outlined in WAC 110-145-3200;

(iii) Physical assault between two or more children or youth that results in injury;

(iv) Physical assaults involving employees, volunteers, or other adults by a child or youth in care that results in injury;

- (v) Any medication given or consumed incorrectly;
 - (vi) Missed medication that requires off-site medical attention;
 - (vii) Discovery of contraband on the premises as defined by the licensees' policies and procedures;
 - (viii) Drug or alcohol use by a child or youth in care off-site;
 - (ix) Health problems outside of the usual range of reactions caused by medications that do not require off-site medical attention;
 - (x) Any off-site treatment for emergency medical or emergency psychiatric care;
 - (xi) Any inappropriate sexual behavior by or toward a child or youth;
 - (xii) Significant property damage on the licensed premises caused by children or youth;
 - (xiii) Suspected or known gang recruitment of, or activity by, a child or youth;
 - (xiv) Emergencies on the premises requiring activation of the emergency plan required in WAC 110-145-2580; and
 - (xv) Outbreak of a vaccine-preventable disease in the facility.
- (2) Licensees must maintain written records of all reports made that include the:
- (a) Date and time the report was made; and
 - (b) Name of the individual making the report.

NEW SECTION

WAC 110-145-2790 Reporting children and youth missing from care.

- (1) This section does not apply to OYSS and other GCFs that provide residential services for runaway or homeless children or youth, which must follow the requirements in WAC 110-145-2800.
- (2) Licensees must:
- (a) Develop and follow policies and procedures approved by the department outlining a response plan for missing children or youth in their care. At a minimum, the plan must require personnel to notify the following immediately, but no later than 24 hours after, when children or youth are missing from care or run while in their care:
 - (i) Law enforcement;
 - (ii) Tribal law enforcement for Indian children and youth;
 - (iii) National center for missing and exploited children at 1-800-843-5678;
 - (iv) Child's or youth's representatives; and
 - (v) Department intake for department children or youth if their caseworker cannot be contacted directly or it is after normal business hours;
 - (b) Notify the National Center for Missing and Exploited Children and law enforcement immediately, but no later than 24 hours after, when children or youth are missing from care;
 - (c) Provide the National Center for Missing and Exploited Children and law enforcement the following for the missing child or youth:
 - (i) A recent photo;
 - (ii) Time they left or went missing;
 - (iii) Their last known location;
 - (iv) What they were wearing;
 - (v) Description of their physical features, including:
 - (A) Height;

- (B) Weight;
- (C) Gender;
- (D) Ethnicity;
- (E) Race;
- (F) Hair color; and
- (G) Eye color;
- (vi) Endangerment information, if applicable, including their:
 - (A) Pregnancy status;
 - (B) Prescription medications;
 - (C) Suicidal tendencies;
 - (D) Vulnerability to being sex trafficked; and
 - (E) Other health or risk factors;
- (vii) Any known behaviors or interactions that may have caused their departure;
- (viii) Possible places where they may go;
- (ix) Special physical or mental health conditions or medications that affect their safety; and
- (x) Known companions who may be aware or involved in their absence;
- (d) Not provide the National Center for Missing and Exploited Children consent to release children and youth information under (c)(vi) of this subsection;
- (e) Obtain the missing person report number, when available;
- (f) Notify, by phone or email, the child's or youth's representatives, and provide any of the known information listed in (c) of this subsection;
- (g) If at any time after making an initial report, licensees learn of a missing child's or youth's whereabouts, they must report that to:
 - (i) Law enforcement;
 - (ii) National Center for Missing and Exploited Children; and
 - (iii) The child's or youth's representatives; and
- (h) Cancel the law enforcement run report and notify all individuals previously contacted if the missing child or youth returns to the facility.

NEW SECTION

WAC 110-145-2800 Alternate reporting requirements for licensed facilities serving runaway and homeless children and youth. Licensees providing services to homeless or runaway youth who learn that a community child or youth staying in their facility does not have permission from their parents or guardians to be there must:

- (1) If they are licensed as a CRC:
 - (a) Follow the notification requirements in RCW 43.185C.280; and
 - (b) Contact the department:
 - (i) If unable to contact the youth's parents or guardians within 48 hours and request that the case be reviewed for services or a dependency filing under chapter 13.34 RCW or CHINS filing under chapter 13.32A RCW; and
 - (ii) Intake to notify them of the youth's admission to the CRC within 24 hours;

(2) If they are licensed as an OYS or other GCF with a stated mission to provide services to homeless or runaway youth, follow the requirements in RCW 13.32A.082; and

(3) Document all notifications made as required under this section in the child's or youth's well-being file.

NEW SECTION

WAC 110-145-2810 Reporting facility, program, and licensee changes. Licensees must immediately report to the LD licensor changes in the original licensing or renewal application, including the following:

- (1) Physical location, phone number, or email or mailing address;
- (2) Program description or the population served, including the maximum number, age ranges, and gender of children and youth that the licensee wants to be licensed for;
- (3) Structure of the building or premises from events that cause damage, such as a fire or remodeling;
- (4) Name of the licensed corporation, the name by which the facility is commonly known or to the articles of incorporation and by-laws;
- (5) Death, retirement, or incapacity of the individual who holds the license; and
- (6) Arrests or convictions of licensees or their personnel that:
 - (a) They are aware of; and
 - (b) Occur between the date the license is issued and the expiration date of the license.

STAFFING RATIOS AND SUPERVISION

NEW SECTION

WAC 110-145-2820 Staffing ratios. Licensees must:

- (1) Meet the staffing ratios in this section unless:
 - (a) Their contract for services requires a more stringent staffing ratio for the safety and well-being of the children, youth, and personnel;
 - (b) The department requires a more stringent staffing ratio, per WAC 110-145-2830; or
 - (c) Licensed:
 - (i) CRCs, follow the requirements in WAC 110-145-3210; or
 - (ii) GRCs, also follow the minimum staffing requirements in WAC 110-145-3320;

(2) Have an identified individual that meets direct care staff or direct care volunteer qualifications on-call at all times and available to:

(a) Respond to the facility by phone within 15 minutes; and

(b) Report on-site to the facility as soon as possible, but no later than one hour;

(3) Have at least one of the following either on-site or on-call and able to respond to the facility by phone within 15 minutes:

(a) An executive director;

(b) Program manager;

(c) Care coordinator; or

(d) An individual employed by the licensee in one of those roles at another GCF;

(4) Have at least one care coordinator for every 18 children or youth in care, except those who operate interim facilities; and

(5) Provide staff as follows unless they are licensed as CRCs:

(a) Maintain a staffing ratio of at least one direct care staff or direct care volunteer on duty for every eight:

(i) Children and youth in care; or

(ii) Parenting youth in programs that serve pregnant and parenting youth; and

(b) Have at least one direct care staff or direct care volunteer on duty during sleeping hours when children or youth are present. They must be awake and alert, except in facilities where the focus of the program is on developing independent living skills as outlined in RCW 74.13.540.

NEW SECTION

WAC 110-145-2830 Supervising children and youth. (1) Licensees must meet the supervision requirements listed in this section unless their contract for services requires more stringent supervision requirements for the health and safety of the children, youth, and personnel.

(2) Licensees and their direct care staff and direct care volunteers must provide appropriate supervision for the children and youth in care based on each child's or youth's developmental capabilities.

(3) Supervising staff must:

(a) Conduct ongoing and periodic checks on children and youth in care when they are out of sight or hearing distance;

(b) Use their knowledge of each child's and youth's developmental capabilities to:

(i) Mitigate unsafe or unhealthy events or actions; and

(ii) Intervene in unsafe or unhealthy events or actions as soon as possible; and

(c) Remain awake when they are on supervision duty, unless they are working in a facility where the focus of the program is on developing independent living skills as outlined in RCW 74.13.540.

(4) Licensees must:

(a) Determine prior to placement if a child or youth has a need for a higher level of supervision based on their safety and well-being needs and to maintain the safety and well-being of all children and youth in the home by:

- (i) Obtaining information from the child's or youth's representatives; and
- (ii) Using any other known information;
- (b) Complete the following if they determine after placement that a child or youth has a need for a higher level of supervision than originally assessed:
 - (i) Develop a supervision plan to address those needs;
 - (ii) Obtain approval for the supervision plan from the child's or youth's representatives, if applicable; and
 - (iii) Document the supervision plan in the child's or youth's well-being file as outlined in WAC 110-145-2890;
- (c) Allow nonpersonnel individuals who come onto the licensed premises to only have contact with the child or youth for whom they are approved;
- (d) Be on the same floor of the facility or within hearing distance and access to where children under six years old are sleeping;
- (e) Not leave children under six years old and children or youth who are vulnerable due to their developmental capabilities unattended in a bathtub or shower; and
- (f) Not use cribs, bassinets, cradles, playpens, infant swings, or electronic monitoring as a substitute for supervision and care.

NEW SECTION

WAC 110-145-2840 Enhanced supervision for high-risk activities, including bodies of water. Licensees and their direct care staff and direct care volunteers must:

- (1) Provide enhanced supervision when children and youth in care participate in high-risk activities based on their developmental capabilities, unless there is a supervision plan approved by their representatives that allows them to participate in high-risk activities without enhanced supervision; and
- (2) Complete the following when children or youth in care participate in the following high-risk activities:
 - (a) Riding on or using motorized vehicles and equipment:
 - (i) Comply with all laws pertaining to the use of the motorized vehicles and equipment; and
 - (ii) Instruct them on and require the use of appropriate protective and safety gear;
 - (b) Be within touching distance of children age birth through five years old when they use or are around:
 - (i) Hot tubs;
 - (ii) Swimming pools;
 - (iii) Spas; and
 - (iv) Man-made and natural bodies of water;
 - (c) Follow the following staffing requirements when swimming in pools or outdoor bodies of water, excluding small shallow pools, if:
 - (i) A lifeguard is on duty, comply with staffing ratio requirements outlined in WAC 110-145-2820; or
 - (ii) A lifeguard is not on duty:
 - (A) When supervising two or more children or youth, have at least two direct care staff or direct care volunteers present and comply with staffing ratio requirements outlined in WAC 110-145-2820; and

(B) At least one of the direct care staff or direct care volunteers present must:

(I) Have a lifeguard certification;

(II) Have water safety certification; or

(III) Know how to swim, how to use rescue equipment, and have it with them; and

(d) Require children and youth in care to wear U.S. Coast Guard-approved personal floatation devices when swimming in nondesignated swimming areas or using a water-based recreation device.

ADMISSION AND RETAINING CHILDREN AND YOUTH

NEW SECTION

WAC 110-145-2850 Orientation for children, youth, and parents or guardians. Licensees must complete the following as part of the admission process:

(1) Provide orientation to:

(a) Children and youth over the age of six based on their developmental capabilities. This must be provided both verbally and in writing and must include a:

(i) Tour of the licensed premises; and

(ii) Description of:

(A) The programs; and

(B) Basic rules including personal boundaries; and

(b) Parents or guardians when they have placed their children or youth in the licensee's care that includes either verbally or in writing a description of the:

(i) Facility and programs; and

(ii) Basic rules;

(2) Give the following in orientation, except for interim facilities to:

(a) Children and youth:

(i) A map of the licensed premises;

(ii) A description of the services;

(iii) The description of children's and youth's rights; and

(iv) A review of the fire evacuation plan; and

(b) Children, youth, and parents or guardians, a copy of the client visitation policy approved by the department that includes information on accessing their child's or youth's:

(i) Attorney; and

(ii) Department caseworker or tribal caseworker; and

(3) Keep written documentation in the child's or youth's well-being file of the completed orientation signed by the:

(a) Individual providing the orientation; and

(b) Child or youth according to their developmental capabilities.

NEW SECTION

WAC 110-145-2860 Admission and general recordkeeping. Licensees must obtain and document the following information in the child's or youth's well-being file as outlined in WAC 110-145-2890:

- (1) At the time of admission:
 - (a) The date they were admitted;
 - (b) The name and phone number for their representatives;
 - (c) Legal authority to place; and
 - (d) Reasons for the placement;
- (2) The child's or youth's:
 - (a) Name;
 - (b) Birth date;
 - (c) Primary and alternative permanency plan;
 - (d) Previous placement history;
 - (e) Date and time of facility orientation; and
 - (f) Current photo; and
- (3) Name and phone numbers of parents, guardians, or individuals to be contacted in case of emergency.

NEW SECTION

WAC 110-145-2870 Refusal to admit or retain a child or youth.

- (1) Licensees have the right to refuse to admit or retain a child or youth in their facility, unless that decision:
 - (a) Is prohibited by their contract; or
 - (b) Discriminates against children and youth based on their culture or religion or as defined in the Washington state law against discrimination, chapter 49.60 RCW, or federal law.
- (2) A joint decision may be made by the licensee, the agency placing the child or youth, and the department to serve the child or youth elsewhere for the safety and well-being of the child, youth, or others.

NEW SECTION

WAC 110-145-2880 Caring for children's and youth's personal belongings. Licensees must meet the following requirements for children's and youth's personal belongings:

- (1) Handle and store children's or youth's belongings with care and respect at all times;
- (2) Complete the following steps when tracking inventory of children's and youth's personal belongings, except for interim facilities:
 - (a) Meet with each child and youth at admission to document a complete inventory of their personal belongings. At a minimum, the inventory must include items:
 - (i) Identified by the child or youth as having sentimental value; and
 - (ii) Placed in:

- (A) Their room; and
- (B) Storage;
- (b) Update their inventory:
 - (i) At least twice a year; and
 - (ii) When there are changes to items identified as having sentimental value;
- (c) Attempt to get children's or youth's signature on the inventory list or from the parents or guardians of a community child or youth when the inventory is:
 - (i) Initially conducted; and
 - (ii) Updated; and
- (d) Verify children and youth are able to take their belongings when they leave the licensee's care by:
 - (i) Providing them with a copy of their belongings inventory;
 - (ii) Verifying they have all their belongings on their inventory document; and
 - (iii) Providing them with luggage or a sturdy container for their belongings if they do not already have one;
- (3) Develop and follow policies and procedures approved by the department for how the licensee will respond if children's or youth's personal belongings are damaged or stolen, including recording damage and the cause on the inventory document, except for interim facilities; and
- (4) Complete the following if children or youth are unable to take their belongings when they leave the licensee's care:
 - (a) Safely store their belongings for up to 30 calendar days while attempting to transfer their belongings by working with the child's or youth's:
 - (i) Representatives; or
 - (ii) Attorney;
 - (b) Coordinate with the individuals in (a) of this subsection to transfer the belongings to the child or youth within seven calendar days if the licensee learns that the children or youth are able to receive them; and
 - (c) Notify the individuals in (a) of this subsection to collect the belongings if they have not been collected within 30 days of the placement end date.

RECORDS FOR CHILDREN AND YOUTH

NEW SECTION

WAC 110-145-2890 Children's and youth's well-being files. Licensees must meet the following requirements for children's and youth's files:

- (1) Retain any identifying and personal information about children or youth and their families:
 - (a) Confidential as outlined in chapter 26.33 RCW; and

(b) In a secure place inaccessible to children, youth, unauthorized personnel, and the public;

(2) Maintain:

(a) Child and youth well-being files for each child and youth in their record filing system;

(b) The well-being file in a manner that is easily accessible or shareable with:

(i) The department;

(ii) Youth age 12 and above; and

(iii) The child's or youth's tribe, if applicable; and

(c) The following records in the child's or youth's well-being file:

(i) Admission and general recordkeeping, as outlined in WAC 110-145-2860;

(ii) Supervising children and youth, as outlined in WAC 110-145-2830;

(iii) Caring for children's and youth's personal belongings, as outlined in WAC 110-145-2880;

(iv) Medical records requirements, as outlined in WAC 110-145-2910;

(v) Maintaining connections with family and supportive individuals, as outlined in WAC 110-145-3030;

(vi) Supporting peer relationships and participating in activities, as outlined in WAC 110-145-3040;

(vii) Cultural needs, as outlined in WAC 110-145-3050;

(viii) Additional requirements when caring for Indian children, as outlined in WAC 110-145-3060;

(ix) Technology use, as outlined in WAC 110-145-3070;

(x) Education and vocational requirements, as outlined in WAC 110-145-3080; and

(xi) Allowance, chores, and employment, as outlined in WAC 110-145-3090;

(3) Document their attempts to obtain the requested information in the well-being file if they are unable to obtain the required information from the child, youth, or their representatives; and

(4) Provide the child's or youth's caseworker with any documents from the well-being file they do not already have when they change placement.

NEW SECTION

WAC 110-145-2900 Sharing records or information about children, youth, or their families. Licensees must keep information about children, youth, and their families confidential and only share their information, including their well-being files, when conducting official duties with:

(1) Representatives of the department;

(2) For department children or youth:

(a) Representatives of the office of the family and children's ombuds;

(b) The children's or youth's attorneys;

(c) The children's or youth's guardians ad litem; and

(d) Others designated by the children's or youth's department caseworkers;

(3) For tribal children or youth, those designated by their tribal caseworker; and

(4) For community children or youth, those designated by their parents or guardians.

NEW SECTION

WAC 110-145-2910 Medical records requirements. Licensees must obtain and document the following medical records and information in the children's and youth's well-being files as outlined in WAC 110-145-2890:

(1) Written consent, if applicable, for providing medical care and emergency surgery, unless that care is authorized by a court order;

(2) Medical history including, but not limited to:

(a) Name of licensed health care providers;

(b) Type of medical coverage;

(c) Medical conditions, including allergies or dietary restrictions;

(d) Current prescription and over-the-counter medications;

(e) Immunizations;

(f) Upcoming scheduled medical or dental appointments, except for interim facilities; and

(g) Dates of any illnesses or accidents while in care; and

(3) Mental health history, if applicable including, but not limited to:

(a) Current mental health diagnoses or information;

(b) Substance use disorder; and

(c) Behavioral supports, including medical, psychological, and psychiatric reports when available.

NEW SECTION

WAC 110-145-2920 Retention of children's and youth's records after facility closure. Licensees upon termination or expiration of their license or contract must:

(1) Notify their LD licensor about the closure of the facility and where they will store children's and youth's files;

(2) Keep all client information up to six years after the termination or expiration date; and

(3) Return department children's and youth's files to the department either:

(a) At the time of closure; or

(b) Six years after the termination or expiration date of the license or contract.

HEALTH PRACTICES

NEW SECTION

WAC 110-145-2930 Medical consent and care. (1) Medical consent.

(a) The department is the legal custodian for department children and youth and has the authority to consent to emergency and routine medical services on behalf of these children and youth when they are under 18 years old;

(b) Youth in care ages 18 to 21 years old must:

(i) Give consent for their own medical care; or

(ii) Have an identified individual who has been granted legal authority to give consent on their behalf;

(c) Licensees may only consent to emergency or routine medical services for the department children and youth in their care when the department has delegated the authority to them; and

(d) Licensees caring for:

(i) Children or youth in the custody of another agency, tribal court, or other court must follow the direction of that agency or court regarding permission to give consent for medical care; and

(ii) Community children or youth must get consent from the parents or guardians of the child or youth to receive medical care, unless the youth have the legal authority to consent for their own medical care.

(2) **Medical care.** Licensees must complete the following:

(a) Consult children's or youth's established licensed health care provider when seeking medical advice, treatment, or exams, unless:

(i) An emergency situation exists;

(ii) Their established licensed health care provider is not known to the licensee;

(iii) Their established licensed health care provider is not available within the necessary time frame; or

(iv) An in-person visit is required, and their established licensed health care provider is not within reasonable proximity;

(b) Take the necessary actions for children and youth to receive routine medical care or care if they are injured or harmed, unless they refuse medical care;

(c) Notify the child's or youth's representatives, if the child or youth refuses medical care; and

(d) Contact 911 if a life-threatening medical emergency occurs prior to transporting the child or youth to a medical facility, even if they refuse medical care.

NEW SECTION

WAC 110-145-2940 Evaluating children's and youth's medical needs at admission. (1) Licensees must obtain immediate medical care for a medical emergency, per WAC 110-145-2930.

(2) **Obtaining health history information.** Licensees must attempt to obtain all information relevant to children's or youth's emergent medical needs upon admission:

(a) This information must include:

(i) Allergies;

(ii) Physical or mental health conditions, including injuries;

(iii) Dental or optometry conditions;

(iv) Medications they are currently taking; and

(v) Other treatments they are receiving; and

(b) Licensees may gather this information from:

(i) Observation;

(ii) The child or youth;

(iii) The child's or youth's health record; or

(iv) The child's or youth's representatives.

(3) If the child or youth has immediate physical, mental health, dental, or optometry needs, the licensees must arrange for care as necessary.

(4) Licensees must follow the schedule outlined by DOH for routine dental exams for children and youth in care.

(5) **Initial health screens.** Licensees must take children or youth to a licensed health care provider for an initial health screen, except for interim facilities:

(a) When the children or youth enter out-of-home care for the first time or it is their first placement other than having been in interim facilities; and

(b) As soon as possible, but no later than 14 days after entering the licensee's care; or

(c) Unless the child or youth:

(i) Came to the facility from a hospital or pediatric interim care;

(ii) Is receiving services through a child or youth advocacy center or sexual assault clinic;

(iii) Has had an EPSDT exam in the last 30 days;

(iv) Receives an EPSDT exam within the first 14 days of entering the licensee's care; or

(v) Entered DDA services as a community child or youth with a voluntary placement agreement.

(6) Licensees must:

(a) Verify the initial health screen is conducted by the children's or youth's established licensed health care providers if possible; or

(b) Work with the children's or youth's representatives if it is not possible to see their established licensed health care providers.

(7) **EPSDTs.** Licensees must, except for interim facilities:

(a) Take children and youth to a licensed health care provider for an EPSDT exam within the first 30 days of entering the licensee's care, unless they have had an EPSDT exam in the last 30 days;

(b) Obtain a copy of documentation of the EPSDT exam;

(c) Verify the EPSDT documentation:

(i) Is signed by the licensed health care provider; and

(ii) Identifies any:

- (A) Chronic medical issues;
- (B) Immediate health concerns; and
- (C) Follow-up actions or appointments needed;
- (d) Notify the child's or youth's representatives of the date of the scheduled exam if an appointment with a licensed health care provider is not available within the required time frames in this section; and
- (e) Follow the schedule outlined by a licensed health care provider for subsequent periodic EPSDT exams.

NEW SECTION

WAC 110-145-2950 Immunization requirements for children and youth. Licensees must meet the following immunization requirements:

(1) Follow the childhood immunization schedule from DOH for all children and youth in their care, except for rotavirus and human papillomavirus or if they are licensed as interim facilities, CRCs, or GRCs;

(2) Verify children and youth in care are up-to-date on their immunizations, unless they have written documentation of any of the following immunization exemptions:

(a) Medical or religious exemptions, signed by the:

(i) Child's or youth's parents or guardians or youth if they have the legal authority to consent for their own medical care; and

(ii) Licensed health care provider;

(b) Philosophical/personal exemption, which is not available for the measles, mumps, or rubella vaccine requirements, signed by the:

(i) Child's or youth's parents or guardians or youth if they have the legal authority to consent for their own medical care; and

(ii) Licensed health care provider; or

(c) Religious membership exemption signed by the child's or youth's parents or guardians or youth if they have the legal authority to consent for their own medical care; and

(3) Take children or youth that are not up-to-date on their immunizations and do not have an immunizations exemption on record to a licensed health care provider as soon as medically possible to catch up on their immunizations.

NEW SECTION

WAC 110-145-2960 Prevention of communicable disease. (1) Licensees must comply with the following to prevent communicable disease:

(a) Prohibit personnel with a contagious disease as defined in WAC 246-110-010 from being on duty until they are no longer in an infectious stage as determined by:

(i) CDC guidelines;

(ii) The local health jurisdiction; or

(iii) A licensed health care provider;

(b) Promote personal hygiene to help prevent the spread of germs;

(c) Develop and follow written infection control policies and procedures approved by the department that include, but are not limited to:

- (i) Isolation of sick children and youth;
 - (ii) Germ control procedures;
 - (iii) Hygiene, including handwashing, toilet use, diapering, and laundering;
 - (iv) Prevention of the transmission of communicable diseases including management and reporting;
 - (v) First aid;
 - (vi) Care of minor illnesses;
 - (vii) Actions to be taken for medical emergencies; and
 - (viii) Infant care procedures if licensed to care for infants;
- and

(d) Arrange to have an RN or a licensed health care provider help develop and periodically review their policies and procedures described in (c) of this subsection if licensed to care for 13 or more children or youth.

(2) The department may recommend licensees who are licensed for fewer than 13 children or youth consult with an RN or a licensed health care provider to help develop and periodically review their policies and procedures described in subsection (1)(c) of this section.

NEW SECTION

WAC 110-145-2970 Accepting, storing, and disposing of medication. (1) Licensees must:

(a) Develop and follow policies and procedures approved by the department on accepting, storing, and disposing of medication; and

(b) Arrange to have an RN or a licensed health care provider help develop and periodically review their policies and procedures in (a) of this subsection if licensed to care for 13 or more children and youth in a facility.

(2) The department may recommend licensees licensed for fewer than 13 children or youth consult with an RN or a licensed health care provider to help develop and periodically review their medication management and administration policies and procedures in subsection (1)(a) of this section.

(3) Licensees must complete the following when:

(a) **Accepting medication:**

(i) Keep medication for children and youth in care in a pharmacy-labeled container with:

- (A) Their first and last name;
- (B) The date the prescription medication was filled;
- (C) The expiration date on the medication; and
- (D) Legible instructions for administration of the medication, specifically the manufacturer's instructions or the prescription label; and

(ii) Consult and follow the recommendations of the following individuals if they have concerns about medication provided by the child's or youth's parents or guardians:

- (A) The medication prescriber;
- (B) A pharmacist; or

- (C) A licensed health care provider;
- (b) **Storing medication:**
 - (i) Follow manufacturer's specifications, including refrigerated medications;
 - (ii) Store human and animal medications separately and in locked containers; and
 - (iii) Store prescription and over-the-counter medications, except nasal spray naloxone, in a locked container in a manner that minimizes the risks for medication error;
- (c) **Storing emergency medication:**
 - (i) Have a written plan for children and youth in care who have emergency medication, other than naloxone nasal spray, that is reflective of their developmental capabilities and that outlines the following:
 - (A) How the medication will be easily accessible in an emergency;
 - (B) How the medication will be kept inaccessible to other children and youth in care; and
 - (C) The plan for taking medication off-site;
 - (ii) When naloxone is on-site:
 - (A) Naloxone in a nasal spray form must be stored in a place where it is easily accessible in case of an emergency, except children or youth may keep their own naloxone nasal spray in their personal belongings; and
 - (B) Naloxone in an injectable form must be stored in a locked container; and
- (d) **Disposing of medication:**
 - (i) Follow the Food and Drug Administration guidelines for proper disposal of medications that are no longer being taken or have expired; and
 - (ii) Document the following information when disposing of any prescription medication the:
 - (A) Name of the:
 - (I) Medication that was disposed;
 - (II) Child or youth for whom the medication was prescribed;
 - (III) Individual disposing of the medication; and
 - (IV) Individual witnessing the disposal;
 - (B) Date disposed; and
 - (C) Amount disposed.

NEW SECTION

WAC 110-145-2980 Medication administration and documentation.

- (1) At least one direct care staff or direct care volunteer who has completed medication training approved by the department and is able to dispense and complete the medication documentation must be on duty when children and youth are present.
- (2) The following individuals are allowed to access children's and youth's medications:
 - (a) Licensees;
 - (b) Authorized individuals providing care, including respite care providers; and
 - (c) Children and youth when taking their own medication as outlined in subsection (6) of this section.
- (3) Licensees must:

(a) Give prescription medications to children or youth named on the prescription and in the amount and frequency prescribed by a licensed health care provider;

(b) Give children and youth in care over-the-counter medications only when needed and:

(i) As specified by the manufacturer's instructions; and

(ii) While allowing them to request or decline medication according to their developmental capabilities;

(c) Not use prescription or over-the-counter medications for behavior control, unless prescribed for that purpose by a licensed health care provider;

(d) Not reduce or stop children's or youth's prescribed medication without the written approval of a licensed health care provider, except when the:

(i) Child or youth has an adverse reaction, such as an allergic reaction to the medication. If this occurs, licensees must follow-up with a licensed health care provider within 48 hours for an updated medication order; or

(ii) Licensee obtains instructions from a licensed health care provider over the phone to reduce or stop giving the medication to the child or youth. If this occurs, the licensee must also:

(A) Document and follow the order; and

(B) Get a copy of the order from the licensed health care provider within 72 hours;

(e) Report any reduction or stoppage of prescribed medication to the child's or youth's representatives and the prescribing licensed health care provider;

(f) Coordinate starting or stopping a child's or youth's psychotropic medication with their:

(i) Licensed health care provider; and

(ii) Representatives to obtain consent;

(g) Keep a record of all prescription and over-the-counter medications given, missed, and refused. This documentation must include:

(i) The child's or youth's name;

(ii) Whether the medication was given, missed, or refused;

(iii) Time the medication was taken;

(iv) Amount of medication; and

(v) Name of individual administering medication;

(h) Consult with a licensed health care provider if children or youth miss or refuse medication for two consecutive days unless there is a medication plan in place with other instructions; and

(i) Comply with WAC 110-145-3060 regarding Native American traditional medicines.

(4) Licensees who care for:

(a) Medically fragile children and youth must also follow the documentation requirements in WAC 110-145-3490; and

(b) Children or youth in the custody of another agency or tribal or other court must follow the direction of the agency or court regarding giving or applying prescription and over-the-counter medications. If this conflicts with the department's policy, the licensee must notify the child's or youth's department caseworker.

(5) Licensees for department and tribal children and youth and parents or guardians for community children and youth may grant approval for dietary supplement use by children and youth in care with or without medical consultation. If licensees require children and youth to have a medical consultation for dietary supplement use, they must notify the children's or youth's representatives.

(6) Licensees may permit children or youth to take their own medications when the following conditions are met:

(a) The child or youth has the developmental capability to properly take them; and

(b) Licensees:

(i) Obtain and keep on record written approval by the child's or youth's representatives, except:

(A) In OYSS and CRCs; or

(B) For youth 18 years old or older who consent to their own medical care;

(ii) Monitor that the children or youth take their medication according to the prescription or manufacturer's instructions, including proper amount and frequency; and

(iii) Store the medication and medical supplies in a way that is inaccessible to individuals who are not authorized under subsection (2) of this section.

NEW SECTION

WAC 110-145-2990 Alcohol, marijuana, and illegal drugs. Licensees must prohibit:

(1) Possession or use of alcohol, marijuana, or illegal drugs on the premises; and

(2) Personnel under the influence of alcohol, marijuana, or illegal drugs from having contact with children or youth in care.

NEW SECTION

WAC 110-145-3000 Smoking and vaping. (1) Licensees:

(a) Must not allow smoking or vaping inside the building or while transporting children or youth in motor vehicles; and

(b) May permit adults 21 years old or older to smoke or vape on the premises outdoors away from children and youth, per RCW 70.160.075.

(2) This section does not apply to traditional or spiritual Native American or religious ceremonies involving the use of tobacco, which may be used on the premises outdoors.

DAILY CARE

NEW SECTION

WAC 110-145-3010 Records for each shift. During each shift, licensees must:

(1) Keep the following documentation current and available to personnel:

(a) Incident logs, including:

(i) A copy of any suspected child abuse or neglect referrals made to the department; and

(ii) All related incident reports;

(b) Any identified supervision needs specific to children or youth;

(c) Written documentation or staff briefings between shifts regarding the whereabouts of any children or youth currently off-site, except for OYSSs;

(d) Names of direct care staff and direct care volunteers on duty during the shift; and

(e) Phone numbers of the on-call executive director, program manager, or care coordinator, and the on-call personnel available to be on duty if needed during each shift; and

(2) Document the following information about children and youth in care in a shift log:

(a) Serious safety or well-being issues;

(b) Illnesses or accidents; and

(c) Medications and treatments given.

NEW SECTION

WAC 110-145-3020 Communication privacy for children and youth. Licensees must meet the following privacy requirements for children and youth in their care, except as stated in subsection (2) of this section:

(1) Allow children and youth in care to:

(a) Have privacy of communication as appropriate to their developmental capabilities, including:

(i) In-person communication;

(ii) Personal mail;

(iii) Phone calls; and

(iv) Electronic messages; and

(b) Communicate with:

(i) Their:

(A) Attorney;

(B) Representatives;

(C) Therapist; and

(D) School; and

(ii) Crisis lines;

(2) May restrict children's or youth's communications:

(a) When directed by:

(i) The child's or youth's representatives; or

(ii) Court order; or

(b) Per the:

(i) Licensee's technology use policy; or

(ii) Child's or youth's individual technology use plan outlined in WAC 110-145-3070.

NEW SECTION

WAC 110-145-3030 Maintaining connections with family and supportive individuals. Licensees must support children and youth in care in maintaining relationships with family and supportive individuals, except for interim facilities, by:

(1) Obtaining and documenting in the child and youth well-being file as outlined in WAC 110-145-2890:

(a) An approved list from the child's or youth's representatives of individuals authorized to have contact with or take the child or youth out of the facility, including their:

(i) Name;

(ii) Address; and

(ii) Phone number; and

(b) The child's or youth's court ordered visitation plan, if applicable; and

(2) Supporting scheduled visits by:

(a) Verifying children or youth are ready on time and have what they need for the visit; and

(b) Assisting children and youth in care with any technology needs for virtual visits, per WAC 110-145-3070.

NEW SECTION

WAC 110-145-3040 Supporting peer relationships and participating in activities. Licensees must take the following actions to support children's and youth's socialization and participation in activities:

(1) Support children and youth in care to develop positive relationships with peers as appropriate to their developmental capabilities;

(2) Allow children and youth to decline participation or engagement in activities and document when they decline to participate;

(3) Except for interim facilities:

(a) Gather information on activities each child or youth wishes to participate in based on their developmental capabilities, both on-site and off-site, from any of the following, as appropriate, the:

(i) Child or youth;

(ii) Child's or youth's representatives; and

(iii) Licensee's observations; and

(b) Use the information gathered in (a) of this subsection to:

(i) Create and post a weekly or monthly schedule of wide-ranging activities for the facility where children, youth, and others can view it that meets these requirements:

(A) Only uses materials for activities that are:

(I) Safe;

(II) Suitable; and

(III) Meet the developmental capabilities and cultural needs of the children and youth in care; and

- (B) Groups children and youth with similar ages for their safety, except GRCs, per WAC 110-145-3340; and
- (ii) Develop a written activity plan for each child or youth in their well-being file, except GRCs, and include:
 - (A) Specific activities on-site or off-site, in which they would like to participate;
 - (B) Their ability to safely participate in those activities according to their developmental capabilities;
 - (C) How they will participate, including how they will get to and from off-site activities; and
 - (D) If there are safety or well-being reasons they are not able to participate in off-site activities, include:
 - (I) The areas impeding their ability to participate in off-site activities;
 - (II) Actions they can take to allow them to participate in the future; and
 - (III) If there are any equivalent alternative activities they may choose to participate in; and
- (4) Review and update the activity plan quarterly with the:
 - (a) Child or youth; and
 - (b) Child's or youth's representatives, if appropriate.

NEW SECTION

- WAC 110-145-3050 Cultural needs.** Licensees must meet the following requirements for children's and youth's cultural needs:
- (1) Maintain an environment that is inclusive and respectful of their cultures, including meeting all the requirements of WAC 110-145-3060 if applicable;
 - (2) Allow and assist their participation in activities relevant to their culture, which includes their self-identified:
 - (a) Spiritual and religious beliefs;
 - (b) Race and ethnicity; and
 - (c) SOGIE;
 - (3) Allow them to decline participation in cultural activities;
 - (4) Gather information on their cultural needs from any of the following, as appropriate:
 - (a) The child or youth; and
 - (b) The child's or youth's representatives;
 - (5) Develop a written plan using the information gathered in subsection (4) of this section to meet their cultural needs, including:
 - (a) Specific activities they:
 - (i) Would like to participate in either at the facility or off-site; and
 - (ii) Do not want to participate in;
 - (b) How they can participate according to their developmental capabilities, including how they will get to and from off-site activities; and
 - (c) If there are safety or well-being reasons why they may not participate in these activities:
 - (i) The reason why they may not participate;
 - (ii) Actions they can take that would allow them to participate in the future; and

(iii) Equivalent alternative activities they may choose to participate in; and

(6) Review the plan quarterly and update as needed with them and their representative.

NEW SECTION

WAC 110-145-3060 Additional requirements when caring for Indian children. Licensees must:

(1) Provide culturally-appropriate services to Indian children and their families;

(2) Collaborate with the children's or youth's tribes when repairing, replacing, or providing culturally significant items;

(3) Obtain approval from children's and youth's tribal caseworkers prior to making any significant changes to their appearance including, but not limited to:

(a) Hair dying;

(b) Haircuts;

(c) Piercings; and

(d) Tattoos;

(4) Collaborate with children's and youth's tribal caseworkers to develop a plan that is kept in their well-being file and includes, but is not limited to:

(a) Managing tribally-funded payments including, but not limited to, per capita, general welfare, settlement funds, if applicable;

(b) Possessing and using Native American traditional medicines including, but not limited to:

(i) Sage;

(ii) Cedar; and

(iii) Sweet grass;

(c) Using baby boards and moss bags; and

(d) Providing a plant-based or lactose-free alternative to cow's milk, if applicable;

(5) Allow Indian children to attend cultural events and activities;

(6) Not use discipline methods that interfere with the children's and youth's cultural needs, including cutting their hair, or taking away any religiously or culturally significant items or events; and

(7) Consult with tribes regarding out-of-state or out-of-country travel requirements when caring for children or youth in the care and custody of the tribal court.

NEW SECTION

WAC 110-145-3070 Technology use. Licensees must comply with the following regarding children's and youth's use of technology:

(1) Develop and follow technology usage policies and procedures approved by the department that include the following, as applicable:

(a) A description of the allowed access and use by children and youth in care to devices used on-site or off-site connected to the internet including, but not limited to:

- (i) Cell phones;
- (ii) Computers;
- (iii) Tablets; and
- (iv) Gaming devices;
- (b) Specific types of technology that are prohibited from the program for a safety or well-being reason and what the reason is;
- (c) Rules for technology use in and outside the facility;
- (d) Technology use restrictions for violating the technology use rules; and
- (e) A description of the technology training that will be provided to children and youth in care;
- (2) Provide a copy of the technology policies and procedures when children and youth are placed, to the:
 - (a) Children or youth according to their developmental capabilities; and
 - (b) Child's or youth's representatives;
- (3) Develop and document a technology access plan when children's or youth's technology access needs to be restricted for the safety or well-being of themselves or others. This plan must:
 - (a) Be created in consultation with them; and
 - (b) Include:
 - (i) Input from their representatives; and
 - (ii) Information about:
 - (A) The type of technology they will have restricted access to;
 - (B) Where, when, and how they will be restricted;
 - (C) The areas impeding their ability to successfully use the technology; and
 - (D) Actions they can take that would allow them to restore unrestricted access in the future; and
- (4) Review and update the technology access plan with the children and youth quarterly or more frequently if they show signs of mental distress or overuse.

NEW SECTION

- WAC 110-145-3080 Education and vocational requirements.** (1) School-aged children and youth must attend an accredited school or vocational program while placed in the licensee's care, except for those in interim facilities or the EFC program.
- (2) Licensees must support school-aged children and youth in care in earning credits toward graduation by:
- (a) Notifying the child's or youth's representative if:
 - (i) There is no immediate plan for them to attend school at the time of placement in the licensee's care; or
 - (ii) Children or youth are not attending school within two consecutive school days of admission. Licensees must also:
 - (A) Make concentrated efforts to begin school attendance; and
 - (B) Contact the:
 - (I) Department regional education lead for department or tribal children or youth; or
 - (II) School district foster care liaison for community children or youth for assistance; and
 - (iii) Any safety or well-being concerns arise at the child's or youth's school;

- (b) Attending meetings about the child or youth at their school, including the best interest determination meeting; and
- (c) Documenting any actions taken in compliance with this section in the child's or youth's well-being file.
- (3) While children and youth are attending an accredited school or vocational program, licensees must:
 - (a) Help children or youth be ready for school on time and with all the items they need;
 - (b) Follow the school's reporting requirements if a child or youth is absent from school;
 - (c) Notify the child's or youth's representatives if they are absent from school more than three consecutive school days;
 - (d) Provide them with:
 - (i) Necessary school supplies, including technology, per WAC 110-145-3070; and
 - (ii) A place to study suitable for their needs and developmental capabilities;
 - (e) Assist with transportation planning to and from school and document the transportation plan in their well-being file, except facilities licensed as GRCs must follow the requirements outlined in WAC 110-145-3340; and
 - (f) Obtain and document the following information in the child's or youth's well-being file as outlined in WAC 110-145-2890:
 - (i) Report cards;
 - (ii) School pictures; and
 - (iii) Individual education program (IEP), and 504 plans, if applicable.
- (4) If educational instruction is given on licensees' premises, licensees must:
 - (a) Receive approval from the child's or youth's representatives;
 - (b) Verify the program is certified by the office of superintendent of public instruction; and
 - (c) Provide a dedicated space during educational instruction.

NEW SECTION

WAC 110-145-3090 Allowance, chores, and employment. Licensees must meet the following allowance, chores, and employment requirements for children and youth appropriate to their age and developmental capabilities. They:

- (1) Must:
 - (a) Provide an opportunity for children and youth to receive a money or a money substitute allowance for completing chores unless the child or youth:
 - (i) Is placed in their care for 15 or fewer calendar days; or
 - (ii) Receives discretionary funds from DDA;
 - (b) Assign chores to children and youth that:
 - (i) Provide them with developmentally appropriate teaching and opportunities to build proficiency in basic life skills; and
 - (ii) Are directly related to the essential upkeep of their individual space and shared spaces;
 - (c) Keep track of allowances given to children and youth in care in a ledger;
 - (d) Teach children and youth about money management;

- (e) Not withhold allowance as repayment for facility damage or loss;
- (f) Support the youth's efforts when they request to seek employment off-site by verifying:
 - (i) It does not interfere with school attendance or any state or federal programs in which the youth is enrolled; and
 - (ii) The laws regarding minors working are followed;
- (g) Develop an employment plan in consultation with youth seeking employment off-site when the conditions in (f) of this subsection are met and document this in their well-being file. The employment plan must include:
 - (i) Input from:
 - (A) The youth's representatives; and
 - (B) Other individuals identified by the youth;
 - (ii) The youth's employment goals;
 - (iii) The youth's skills and abilities related to successful employment;
 - (iv) Any identified areas impeding their ability to safely work off-site; and
 - (v) Actions they can take that would allow them to safely work off-site in the future;
- (h) Review and update the employment plan with them quarterly; and
- (i) Assist youth with obtaining transportation to and from work; and
- (2) May offer children and youth in care an opportunity to complete an occasional or one-time task at the facility for a reasonable, predetermined compensation of money or a money substitute. The occasional or one-time task must be:
 - (a) Of benefit to the living community; and
 - (b) Offered to children and youth:
 - (i) On a strictly voluntary basis; and
 - (ii) Equally based on their developmental abilities.

NEW SECTION

WAC 110-145-3100 Personal hygiene. (1) Licensees must:

- (a) Provide or arrange for children and youth in care to have culturally appropriate items needed for grooming and personal hygiene; and
 - (b) Keep toxic hygiene products inaccessible as outlined in WAC 110-145-2450.
- (2) Direct care staff or direct care volunteers must assist children or youth in using grooming and personal hygiene items as needed based on their developmental capabilities.

NEW SECTION

WAC 110-145-3110 Food storage and preparation. (1) Licensees must comply with the rules and regulations of the state board of

health governing food service sanitation for food service facilities, food storage, food handling, and preparation practices.

(2) Personnel who prepare and serve food must have a food worker card as outlined in chapter 246-217 WAC.

(3) Licensees may allow children and youth to prepare food:

(a) For themselves based on their developmental capabilities; or

(b) To be served to others at the facility as long as they:

(i) Agree to participate;

(ii) Are being supervised by personnel who have a food worker card; and

(iii) Either have:

(A) Received information or training on safe food handling practices from personnel who have a food worker card if assisting occasionally; or

(B) A food worker card, if assisting:

(I) On a regular basis;

(II) On an on-going basis for a period of two weeks or longer; or

(III) In exchange for payment.

NEW SECTION

WAC 110-145-3120 Meals, snacks, and menus. Licensees when providing meals and snacks for children and youth:

(1) Must:

(a) Verify personnel are aware of each child's and youth's dietary restrictions in a manner that maintains the child's and youth's privacy; and

(b) Complete the following, except facilities caring for medically fragile children must follow WAC 110-145-3470:

(i) Serve a variety of foods to children and youth in care that balance their nutritional, cultural, and development needs with foods they enjoy;

(ii) Provide children and youth at least three meals and two snacks in each 24-hour period during the child's and youth's waking hours;

(iii) Establish and post a schedule of mealtimes;

(iv) Routinely provide an opportunity during mealtimes for socialization for children and youth;

(v) Prepare and date daily menus, including snacks, at least one week in advance; and

(vi) Keep menus for at least six months; and

(2) May:

(a) Vary from the requirements in subsection (1)(b)(ii) of this section only with:

(i) Written approval from the child's or youth's licensed health care provider; and

(ii) Notification to the child's or youth's representatives; and

(b) Serve home canned foods, as long as they develop and follow policies and procedures that have been approved by the department prior to serving them and that include the following:

(i) Children and youth in care participate in growing and canning the food being served; and

(ii) They follow the guidelines on proper food canning processes and preparation from the United States Department of Agriculture.

NEW SECTION

WAC 110-145-3130 Milk, breast milk, and formula. Licensees when serving milk or formula must:

(1) Serve infants formula or breast milk unless a licensed health care provider provided written authorization requiring a different liquid for the infant;

(2) Receive approval from the infant's or child's licensed health care provider or representatives before serving them breast milk. If breast milk is provided by anyone other than the infant's or child's biological mother, it must be obtained through a licensed breast milk bank;

(3) Only serve milk or milk products that have been pasteurized, unless they are serving breast milk as outlined in subsections (1) and (2) of this section;

(4) Serve children age 12 to 24 months old whole milk unless they have written authorization from a licensed health care provider or the child's parent or guardian allowing the child not to be served whole milk;

(5) Provide a milk alternative as needed for children and youth who are lactose-intolerant or when required by any plans made, per WAC 110-145-3060;

(6) Prohibit the use of a microwave oven to warm formula or breast milk to prevent burns; and

(7) When bottles are used to feed infants or children:

(a) 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;

(iv) Emptied if not used within 24 hours; and

(v) Labeled with the child's name and the date the bottle was prepared if more than one infant or child is bottle-fed;

(b) Infants:

(i) Birth through five months old must be held for all bottle feedings; or

(ii) Who are six months old or older and developmentally able may hold their own bottles as long as an adult remains in the room and within sight;

(c) Do not prop bottles when feeding infants or children; and

(d) Take bottles from the infant or child when:

(i) They finish feeding;

(ii) The bottle is empty; or

(iii) They fall asleep.

NEW SECTION

WAC 110-145-3140 Infant and toddler care. When caring for infants and toddlers, licensees:

(1) Must:

(a) Hold infants at times other than feeding for the purposes of comfort and attention;

- (b) Allow infants and toddlers plenty of free time outside of a swing, crib, or playpen; and
- (c) Not use wheeled baby walkers; and
- (2) May vary from this requirement only with written approval from a licensed health care provider.

NEW SECTION

WAC 110-145-3150 Diapers, incontinence supplies, and toileting equipment. (1) Licensees:

- (a) Must:
 - (i) Separate areas where diapers or incontinence supplies are changed from food preparation and dining areas;
 - (ii) Have diaper changing areas that are adjacent to a handwashing sink;
 - (iii) Regularly monitor a child's or youth's diaper or training pants during waking hours based on the child's or youth's developmental capabilities and replace when wet or soiled by following DOH diaper-changing guidelines;
 - (iv) Provide appropriate, specialized toileting equipment for children and youth in care when needed based on their developmental capabilities;
 - (v) Regularly maintain specialized toileting equipment by:
 - (A) Keeping it in sanitary condition; and
 - (B) Placing it on a washable, water-resistant surface when in use;
 - (vi) Disinfect diaper-changing areas and specialized toileting equipment between each use by following DOH cleaning and disinfecting guidelines; and
 - (vii) Develop a plan for youth using incontinence supplies that includes monitoring and replacing them based on their developmental capabilities; and
- (b) May use disposable diapers or reusable diapers. If reusable diapers are used, they must:
 - (i) Not be rinsed;
 - (ii) Be placed in a sealed moisture barrier bag;
 - (iii) Be stored in a separate disposal container; and
 - (iv) Either be:
 - (A) Delivered to a commercial laundry service; or
 - (B) Returned to the child's parents or guardians.
- (2) Licensees must follow DOH handwashing guidelines for diaper changing, except for those caring for medically fragile children and youth which must follow WAC 110-145-3480.

NEW SECTION

WAC 110-145-3160 Transportation. Licensees providing transportation must:

- (1) Provide transportation that is safe, reliable, and in compliance with law and contract requirements;
- (2) Verify:

- (a) Drivers of the vehicles:
 - (i) Have a valid driver's license; and
 - (ii) Are covered under an automobile liability insurance policy;
- (b) The vehicles:
 - (i) Are in safe operating condition;
 - (ii) Have appropriate safety devices for all passengers as required by law, including seat belts, car seats, and booster seats. All individuals in the vehicle must use the restraint system when the vehicle is in motion; and
 - (iii) Contain first-aid supplies; and
- (c) There is at least one adult other than the driver in a vehicle when:
 - (i) There are more than five children age birth through five years old in the vehicle;
 - (ii) Staffing requirements or the contract require a second staff; or
 - (iii) The child's or youth's specific needs require a second adult; and
- (3) Comply with chapter 392-143 WAC if using a bus to transport children and youth in care.

NEW SECTION

WAC 110-145-3170 Travel. Licensees must:

- (1) Get written approval from the child's or youth's representatives prior to any travel over 72 hours or any out-of-country travel; and
- (2) Consult with tribes prior to traveling with tribal children as outlined in WAC 110-145-3060.

NEW SECTION

WAC 110-145-3180 EFC program. (1) Licensees may serve youth enrolled in the EFC program, per chapter 110-90 WAC. Licensees who serve these youth:

- (a) Must assist them in meeting their educational and vocational goals after secondary school by providing guidance and connecting them with resources as appropriate;
- (b) May allow youth in the EFC program to share a bedroom with children or youth under 18 years old only when the younger child or youth is a relative of the EFC youth.
- (2) Licensees must notify law enforcement immediately, but no later than 24 hours after, when a youth in the EFC program is missing and they are considered vulnerable due to their:
 - (a) Pregnancy status;
 - (b) Prescription medications;
 - (c) Suicidal tendencies;
 - (d) Vulnerability to being sex trafficked; or
 - (e) Other health or risk factors.
- (3) The department may grant an exception to subsection (1)(b) of this section with approval by an LD administrator if:

- and
- (a) It is in the best interest of the children or youth in care;
 - (b) Supported by the:
 - (i) LD licenser; and
 - (ii) Younger child's or youth's representative.

BEHAVIOR MANAGEMENT

NEW SECTION

WAC 110-145-3190 Behavior management. Licensees must develop and follow policies and procedures that are approved by the department that describe their behavior management methods and meet the following requirements:

- (1) Comply with department-approved behavior management trainings;
- (2) Use behavior management methods appropriate to the child's or youth's developmental capabilities;
- (3) Use positive methods of guidance and behavior management that promote self-control, self-responsibility, self-direction, self-esteem, and cooperation;
- (4) Not use any of the following as behavior management methods:
 - (a) Corporal punishment;
 - (b) Verbal abuse, neglect, humiliation, intimidation, or fear;
 - (c) Withholding of food;
 - (d) Chores or physical labor;
 - (e) Withholding approved contact with a child's or youth's family, fictive kin, or tribal community, unless it is approved by their representative;
 - (f) Time out or de-escalation rooms that do not allow children or youth to exit, which are prohibited in all facilities;
 - (g) Administering medication other than as prescribed or recommended by the manufacturer;
 - (h) Any behavior management methods that interfere with a child's or youth's:
 - (i) Basic needs; or
 - (ii) Need for necessary services including contact with their:
 - (A) Representative;
 - (B) Attorney; or
 - (C) Guardian ad litem; or
 - (i) Any methods that are prohibited by WAC 110-145-3050;
- (5) Maintain responsibility for the behavior management of children and youth in care and must not delegate that responsibility to a child or youth; and
- (6) Immediately provide updated policies and procedures to the LD licenser for approval if behavior management methods change.

NEW SECTION

WAC 110-145-3200 Physical restraint. (1) Licensees must:

- (a) Not use:
 - (i) Physical restraints:
 - (A) To redirect or de-escalate a situation, unless the child's or youth's behaviors pose an immediate risk to the physical safety of themselves or another individual or serious property damage. If restraint is necessary, it must be reasonable and used to:
 - (I) Prevent children or youth from harming themselves or others; or
 - (II) Protect property from serious damage;
 - (B) As a form of punishment or discipline; or
 - (C) If the use of the restraint restricts breathing, inflicts pain as a strategy for behavior control, or is likely to cause injury that is more than temporary. This includes, but is not limited to:
 - (I) Restriction of body movement by placing pressure on joints, chest, heart, or vital organs;
 - (II) Sleeper holds;
 - (III) Arm twisting;
 - (IV) Hair holds;
 - (V) Choking or putting arms around the throat; or
 - (VI) Chemical restraints, such as pepper spray; or
 - (ii) Mechanical restraints unless ordered by the child's or youth's licensed health care provider and approved by LD;
 - (b) Obtain prior written approval before using physical or mechanical restraints on a regular basis from the:
 - (i) Child's or youth's representatives; and
 - (ii) LD licensor; and
 - (c) Develop and follow policies and procedures that are approved by the department, when behavior management practices include use of physical restraint, including:
 - (i) Who may authorize the use of physical restraint; and
 - (ii) The circumstances when physical restraint may be used, including:
 - (A) Time limitations; and
 - (B) Supervisory monitoring; and
 - (iii) How personnel will document incidents involving the use of physical restraint in an incident log.
- (2) The program director must complete the following after incidents that involve the use of physical restraint:
 - (a) Review the incident report with the personnel who used physical restraint to verify the decision to use physical restraint and its application were appropriate; and
 - (b) Report the incident to department intake if it meets the criteria in WAC 110-145-2780.
- (3) Personnel must be trained using a behavior management training approved by LD prior to using physical restraint.

ADDITIONAL REQUIREMENTS FOR SPECIFIC LICENSE TYPES OR PROVIDING SPECIALIZED SERVICES

CRCs

NEW SECTION

WAC 110-145-3210 Staffing qualifications and ratios in CRCs.

Facilities licensed as CRCs must meet the following staffing requirements:

(1) In addition to the requirements in WAC 110-145-2690, direct care staff and direct care volunteers must meet at least one of the following criteria:

(a) To work in a secure CRC, have:

(i) One hundred twenty hours of experience working with a fully trained detention staff member;

(ii) Six months of full-time experience working with youth in a group setting;

(iii) One year of experience as a foster parent with placement of one or more children or youth in their 24-hour care; or

(iv) One year of credit hours from an accredited college or university related to caring for the demographic of children and youth in the licensee's care; and

(b) To work in a semi-secure CRC, have:

(i) Six months of full-time experience working with youth in a group setting;

(ii) One year of experience as a foster parent with placement of one or more children or youth in their 24-hour care; or

(iii) One year of credit hours from an accredited college or university related to caring for the demographic of children and youth in the licensee's care;

(2) Have on duty the highest number of personnel required by the applicable requirements that follow:

(a) At least one direct care staff must be on duty at all times;

(b) At least two direct care personnel must be on duty if at least one youth is present in the facility;

(c) Semi-secure CRCs must meet the staffing ratios outlined in RCW 43.185C.295; and

(d) Secure CRCs must at least meet the staffing ratio of one direct care personnel on duty for every:

- (i) Three youth in care at secure CRCs not colocated with a detention center; or
- (ii) Four youth in care at secure CRCs that are colocated with a detention center.

NEW SECTION

WAC 110-145-3220 CRC age and length-of-stay requirements. Facilities licensed as:

(1) CRCs must follow the maximum length-of-stay requirements outlined in RCW 43.185C.290;

(2) Secure CRCs may be licensed to provide care to youth ages 12 through 17 years old who meet one of the following criteria:

(a) Youth ordered by the court to be placed for contempt on at-risk youth orders. These youth may be ordered into a secure CRC that is colocated with a detention facility; or

(b) Youth placed by law enforcement officers and who are run-aways, in dangerous situations, or in violation of curfew; and

(3) Semi-secure CRCs may be licensed to provide care to youth ages 12 years through 17 years old who meet one of the following criteria:

(a) Youth are beyond the control of their parents or guardians and behave in a way that endangers an individual's welfare;

(b) Need assistance getting any of the following:

(i) Food;

(ii) Shelter;

(iii) Health care;

(iv) Clothing;

(v) Educational services; or

(vi) Resolving family conflicts;

(c) Need temporary protective custody; or

(d) Have parents or guardians who are not able or willing to continue efforts to keep the family together.

NEW SECTION

WAC 110-145-3230 CRC admission requirements. Facilities must do the following after a youth has been admitted when licensed as:

(1) Secure CRCs:

(a) Evaluate the youth's likelihood to remain in the facility within the first 24 hours after admission and each 24 hours thereafter using the criteria outlined in RCW 43.185C.290;

(b) Document the information gathered in (a) of this subsection in the youth's well-being file; and

(c) By the first school day after admission:

(i) Notify the youth's school district about the youth's placement; and

(ii) Assess the youth for any educational needs as outlined in WAC 110-145-3070;

(2) Semi-secure CRCs make reasonable efforts to transfer the youth to a secure facility if they determine that the youth is unlikely to remain in the facility, per RCW 43.185C.290.

NEW SECTION

WAC 110-145-3240 CRCs transferring youth. (1) Licensees must develop and follow transfer policies and procedures when transferring youth from one CRC to another.

(2) Licensees must complete the following after deciding that a youth needs to be transferred from one type of CRC to another:

(a) Obtain approval from the department prior to the transfer;

(b) Communicate with the CRC receiving the transfer to:

(i) Verify they have space available for the youth; and

(ii) Receive mutual agreement with the transfer decision; and

(c) Document all communication related to the transfer into the youth's file.

(3) Licensees may transfer a youth to a semi-secure CRC if space is not available in the secure CRC, as long as the conditions in RCW 43.185C.290 are met.

NEW SECTION

WAC 110-145-3250 CRC documentation requirements. Facilities licensed as CRCs must:

(1) Document the time the youth was admitted to the facility into their well-being file;

(2) Send a written summary addressing the following information to the youth's department caseworker, if applicable, within seven calendar days of the youth being discharged:

(a) Community-based referrals;

(b) Assessment information on the family and youth;

(c) Family reconciliation attempts;

(d) Contracts between families and professionals providing services to youth;

(e) Medical and health related issues; and

(f) Any other concerns, such as legal or educational issues; and

(3) Keep hourly logs of where each youth is physically located in the shift log outlined in WAC 110-145-3010.

NEW SECTION

WAC 110-145-3260 CRC intervention services. Facilities licensed as CRCs must:

(1) Provide or arrange, at a minimum, the following support and services to reduce high-risk behaviors and increase children's and youth's stability:

- (a) An assessment of the family to develop a treatment plan for the youth;
 - (b) Family counseling focused on:
 - (i) Communication;
 - (ii) Skills development; and
 - (iii) Problem solving;
 - (c) Individual or group counseling or both;
 - (d) School participation plans;
 - (e) Safety and transition plans to address the youth's high-risk behaviors; and
 - (f) Referrals to transition the family to community-based support services; and
- (2) Document intervention services provided to youth in their well-being file.

NEW SECTION

WAC 110-145-3270 CRC multidisciplinary teams. Licensees must:

- (1) Follow the requirements outlined in chapter 43.185C RCW regarding multidisciplinary teams after youth are admitted to CRCs; and
- (2) Maintain records relating to multidisciplinary teams for at least six years.

NEW SECTION

WAC 110-145-3280 Building and premises requirements for secure CRCs. Facilities licensed as secure CRCs:

- (1) Must, in addition to the requirements in WAC 110-145-2430:
 - (a) Limit exiting from the premises by one of the following methods:
 - (i) Windows and doors that allow exit but have a nonscalable perimeter fence around the premises. This fence must be designed to not cause injury, avoiding use of electrification, razor wire, or concertina wire; or
 - (ii) Egress-control devices that meet or exceed current state building codes;
 - (b) Not isolate youth from the general population or staff in a locked room; and
 - (c) Maintain recreational areas within the secure facility or on the premises that can support the youth's daily activities;
- (2) May be a:
 - (a) Free-standing facility;
 - (b) Separate unit; or
 - (c) Separate building within a campus.

NEW SECTION

WAC 110-145-3290 Secure CRCs colocated with juvenile detention centers. Licensees operating both a juvenile detention center and a separate secure CRC at the same location must have buildings that prevent:

- (1) Direct communication or physical contact between residents of the secure CRC and individuals held in the detention facility; and
- (2) Personnel assigned to the secure CRC from being simultaneously assigned to the juvenile detention center residents on the same shift.

ERCs

NEW SECTION

WAC 110-145-3300 ERC admission requirements. Facilities licensed as ERCs must obtain the following information before accepting children or youth into their care:

- (1) Permission from the children's or youth's parents or guardians authorizing placement and emergency medical care or surgery on behalf of the child or youth;
- (2) Basic family information, including address, phone numbers, and emergency contacts; and
- (3) Basic medical information, including current medication, known allergies, and at-risk behaviors of the child or youth.

NEW SECTION

WAC 110-145-3310 ERC services. Facilities licensed as ERCs must follow the requirements for services outlined in RCW 74.15.020.

GRCs

NEW SECTION

WAC 110-145-3320 GRC staffing. GRCs:

- (1) Must have at least one staff member that meets direct care qualifications on duty and available ready to accept placements 24 hours a day, seven days a week; and
- (2) May choose to not be operating if there are no children or youth in care as long as a staff member is on-call as required in subsection (1) of this section.

NEW SECTION

WAC 110-145-3330 GRC ages served. Facilities licensed as GRCs may be licensed:

- (1) To provide care for children or youth in one of the following age groups:
 - (a) Two through five years old;
 - (b) Six through 12 years old; or
 - (c) Thirteen through 17 years old; and
- (2) For more than one age group, including children under two years old, with a supervision plan that has been approved by LD.

NEW SECTION

WAC 110-145-3340 GRC services. Facilities licensed as GRCs:

- (1) Must:
 - (a) Provide direct receiving care;
 - (b) Assess children's or youth's physical, mental, social, and emotional conditions; and
 - (c) Either:
 - (i) Provide transportation to school for school-age children and youth in care; or
 - (ii) Arrange for transportation to school for school-age children and youth; and
- (2) May:
 - (a) Provide family support services, including family visit supervision; and
 - (b) If licensed for multiple age groups, per WAC 110-145-3330, allow children of different age groups to participate in common activities together.

OYSS

NEW SECTION

WAC 110-145-3350 Ages served in OYSS. Facilities licensed as OYSSs:

- (1) May be licensed to provide care for youth in one of the following age groups:
 - (a) Thirteen through 17 years old; or
 - (b) Sixteen through 20 years old; and
- (2) Must notify the police or department intake of any child 12 years of age or younger who is unaccompanied by an adult and is requesting services but is unable to be served by the OYS.

NEW SECTION

WAC 110-145-3360 Requirements when admitting youth to an OYS. Facilities licensed as OYSSs must:

- (1) Only accept placements from youth if they self-refer;
- (2) Not accept placement from licensed kinship caregivers or foster parents;
- (3) In addition to the requirements in WAC 110-145-2850, assess each youth's:
 - (a) Physical and medical needs, including medication;
 - (b) School status;
 - (c) Immediate needs for counseling; and
 - (d) Housing options for the near future;
- (4) Offer an additional assessment that includes:
 - (a) Emergency phone contacts;
 - (b) Areas of possible problems, such as medical problems, family situation, and suicide evaluation;
 - (c) History of assault or predatory behavior; and
 - (d) Drug and alcohol involvement; and
- (5) Determine at the time of admission whether the parents or guardians are aware of the whereabouts of the youth and follow the requirements of WAC 110-145-2800, if applicable.

NEW SECTION

WAC 110-145-3370 OYS hours of operation. Facilities licensed as OYSSs:

- (1) Must operate during overnight hours; and
- (2) May choose to be open to offer services outside the scope of an OYS during daytime hours.

NEW SECTION

WAC 110-145-3380 OYS services. Facilities licensed as OYSs must provide or refer youth to programs that offer the following services based on the youth's assessment outlined in WAC 110-145-3360:

- (1) Individual crisis intervention;
- (2) Assistance in accessing emergency resources, including CPS and emergency medical services;
- (3) Resource information;
- (4) Educational or vocational services;
- (5) Housing information;
- (6) Medical care or services;
- (7) Substance abuse services;
- (8) Mental health services;
- (9) Information regarding other treatment agencies;
- (10) Food programs;
- (11) Disability services; and
- (12) Other services available from the department.

NEW SECTION

WAC 110-145-3390 Sleeping areas and equipment in OYSs. Facilities licensed as OYSs:

- (1) Must accept the use of sleeping equipment that is personally provided by the youth, unless it is a health or safety risk;
- (2) May use common sleeping areas for children and youth in care instead of bedrooms, as long as they:
 - (a) Provide barriers to each youth for privacy or separation from other youth during sleeping hours;
 - (b) Evaluate youth's requests to move to a different sleeping location and accommodate if safety, space, and supervision allows; and
 - (c) Separate youth younger than 18 years old from youth 18 through 20 years old by having either:
 - (i) Personnel supervise open space; or
 - (ii) Physical barriers to prevent contact.

NEW SECTION

WAC 110-145-3400 Storage of ammunition and other weapons in OYSs. Facilities licensed as OYSs must:

- (1) Store ammunition and other weapons brought onto the premises in a locked container that is inaccessible to children and youth in care until they either:
 - (a) Return the ammunition or other weapons to the child or youth when discharged when allowed by law;
 - (b) Turn the ammunition or other weapons over to the child's or youth's representative at the time of discharge; or
 - (c) Turn the ammunition or other weapons over to law enforcement;

(2) Restrict access to ammunition and other weapons on the premises to allow only authorized personnel to access these items in storage; and

(3) Include in their policy and procedures for firearms and other weapons:

(a) Safe storage of ammunition and other weapons; and

(b) Safe disposal of ammunition and other weapons.

NEW SECTION

WAC 110-145-3410 OYS citizen's board. OYSS must meet these citizen's board requirements:

(1) Have a citizen's board that complies with laws and rules for nonprofit boards of directors. If the OYS is part of a larger agency that has a citizen's board, that board will suffice; and

(2) Keep the following on file:

(a) A list of all members of the current citizen's board; and

(b) A copy of the articles of incorporation filed with the secretary of state verifying nonprofit status.

RACs

NEW SECTION

WAC 110-145-3420 RAC hours of operation and staffing requirements. Facilities licensed as RACs:

(1) Must:

(a) Be staffed primarily with trained volunteers, per RCW 74.15.311;

(b) Have the licensee or a designee available by phone at all times when they are receiving new placements; and

(2) May limit days and times of operations as outlined in RCW 74.15.311.

NEW SECTION

WAC 110-145-3430 RAC services. Facilities licensed as RACs:

(1) Must follow the requirements outlined in RCW 74.15.311; and

(2) May provide the following:

(a) Referral and provision of health care assessments or screening;

(b) Community service referrals, as needed; and

(c) Initial assessment of children's or youth's functioning.

SRHs

NEW SECTION

WAC 110-145-3440 SRH capacity. Facilities licensed as SRHs:

(1) Must not, at any time, exceed a capacity of six children and youth in care, which includes:

- (a) Those placed by the department;
- (b) Children of the youth in care;
- (c) Other children and youth living in the home; and
- (d) Any individuals enrolled in the EFC program; and

(2) May be restricted by the department on the number of children and youth in an SRH according to the age and needs of the children and youth, including the following:

(a) Only two children under two years of age in care at a time, unless the licensee offers pregnant and parenting services;

(b) A maximum of three pregnant and parenting youth in care at a time; or

(c) Up to three children and youth with mental or physical disabilities that are severe enough to require nursing care if the licensee meets the following conditions:

(i) The personnel are qualified by training and experience to provide proper care, including necessary medical procedures; and

(ii) The treatment is under the supervision of licensed health care providers.

Medically Fragile Children and Youth

NEW SECTION

WAC 110-145-3450 Staffing requirements to serve medically fragile children and youth. Facilities caring for medically fragile children and youth must:

(1) In addition to the requirements in WAC 110-145-2670, require their program manager to be an RN licensed by Washington state who has at least one year of full-time experience that can be applied to or transferrable to the demographic of children and youth in the licen-

see's care. Lived experience may count toward meeting six months of the experience requirement;

(2) Have an RN licensed by Washington state on-site or on call if the program manager is absent from the facility; and

(3) Require direct care staff to have an active:

(i) NAR credential;

(ii) CNA certification;

(iii) RN license; or

(iv) LPN license.

NEW SECTION

WAC 110-145-3460 Care and services for medically fragile children and youth. (1) Licensees providing care and services for medically fragile children and youth must:

(a) Use licensed health care providers to provide care that meets the child's or youth's unique needs;

(b) Have sufficient nursing personnel to meet the nursing care needs of the children and youth in care, including at least one RN as required by WAC 110-145-3450;

(c) Offer to develop individualized treatment plans using information from the children's or youth's licensed health care providers that address their unique needs and include:

(i) The care and services to be provided, with details on the child's or youth's preferences and choices; and

(ii) How the services will be delivered to accommodate those preferences and choices; and

(d) Have an infection control program supervised by an RN or a certified infection preventionist.

(2) RNs caring for medically fragile children or youth must:

(a) Complete and document an initial assessment of each child and youth admitted to the facility;

(b) Update assessments as needed; and

(c) Advise and assist nonmedical personnel providing care at the facility with:

(i) Maintaining health records;

(ii) Meeting children's and youth's daily health needs; and

(iii) Caring for their minor illnesses and injuries.

(3) Licensees may provide specialized care to medically fragile children and youth in care who need intensive personal care including:

(a) Skilled health care;

(b) Physical therapy; or

(c) Other forms of therapy.

NEW SECTION

WAC 110-145-3470 Dietary needs of medically fragile children and youth. Licensees caring for medically fragile children and youth must meet their dietary needs by:

(1) Following the dietary plan for each child and youth as prescribed by their licensed health care provider;

(2) Using the services of a dietician who meets current registration requirements of the American Dietetic Association if offering modified diets;

(3) Documenting in the child's or youth's well-being file that personnel and volunteers are following the licensed health care provider's order; and

(4) Incorporating foods for cultural preference with approval from the child's or youth's licensed health care provider.

NEW SECTION

WAC 110-145-3480 Diaper use for medically fragile children. Licensees caring for medically fragile children that use diapers:

(1) Must follow DOH hand hygiene guidelines for diaper changing; and

(2) May launder reusable diapers either:

(a) As outlined in WAC 110-145-3150; or

(b) Using in-house laundry services following CDC environment infection control guidelines related to laundry.

NEW SECTION

WAC 110-145-3490 Medical records for medically fragile children and youth. Licensees providing care for medically fragile children and youth must meet the following documentation requirements in addition to the requirements in WAC 110-145-2900:

(1) Obtain documentation when children or youth have been in care for more than 30 calendar days of:

(a) A physical examination and diagnosis by a licensed health care provider;

(b) Information about the child's or youth's daily care, if applicable including, but not limited to:

(i) Treatment plans;

(ii) Medications;

(iii) Observations;

(iv) Medical examinations;

(v) Physicians' orders;

(vi) Proper treatment for allergic reactions;

(vii) Consent authorizations;

(viii) Releases;

(ix) Diagnostic reports; and

(x) Revised assessments;

(c) Upon discharge, a summary including:

(i) Diagnoses, treatments, and prognosis by the individual responsible for providing care; and

(ii) Any instructions and referrals for continuity of care; and

(d) Evidence of meeting criteria for eligibility for services from DDA, if applicable.

(2) If a medication order is given over the phone from a licensed health care provider, licensees must:

(a) Have an RN or LPN receive the order; and

(b) Obtain a signed copy of the order from a licensed health care provider within 72 hours of the order.

Pregnant and Parenting Youth

NEW SECTION

WAC 110-145-3500 Pregnant and parenting services. (1) Licensees that provide pregnant and parenting services must:

(a) Develop a daily activities program for the youth and their infants;

(b) Provide or arrange for services including, but not limited to:

(i) Information and referral services, including referrals for prenatal and postnatal care;

(ii) Safe and stable housing;

(iii) An evaluation of the family's needs;

(iv) Care coordination services based on the needs of the youth and their infant; and

(v) Individual or group education about the following topics:

(A) Pregnancy counseling;

(B) Independent living skills;

(C) Infant and child care training;

(D) Infant safety, education, and intervention;

(E) Living arrangements;

(F) Medical care planning;

(G) Legal issues;

(H) Vocational and educational guidance;

(I) Plans for the child;

(J) Financial, emotional, or psychological problems;

(K) Impacts of drug usage and plans of safe care, as applicable;

(L) Relations with the child's other parent;

(M) Home management and consumer education;

(N) Birthing options, including delivery in a licensed hospital or birthing facility;

(O) Postpartum medical and mental health examinations, as prescribed by a licensed health care provider, to the new parent;

(P) Child care, as needed; and

(Q) Care coordination services;

(c) Provide or assist a pregnant or parenting youth in arranging for licensed child care, when appropriate; and

(d) Not provide services contingent upon a parent's decision to keep or relinquish their child.

(2) If licensees are not providing the services in their facility, they must:

(a) Have formal agreements with community agencies providing the service; and

(b) Encourage and support the pregnant and parenting youth to get the services.

NEW SECTION

WAC 110-145-3510 Pregnant and parenting health education. Licensees that provide pregnant and parenting services must offer or arrange for health education including, but not limited to, the following topics:

- (1) Hygiene;
- (2) Preparation for childbirth;
- (3) Physiological changes during pregnancy;
- (4) Medical after care for the birthing parent and child;
- (5) Examinations and childbirth procedures;
- (6) Prenatal, postnatal, and pediatric care;
- (7) Postpartum care;
- (8) Contraception and fertility awareness;
- (9) Nutritional recommendations and requirements for the birthing parent and child;
- (10) Child health and development; and
- (11) Psychological and emotional changes during and after pregnancy.

NEW SECTION

WAC 110-145-3520 Determining capacity when providing pregnant and parenting services. In addition to the requirements in WAC 110-145-2390, the department determines capacity for facilities providing pregnant and parenting services by counting the number of parents and children and considering the space required for their bedroom as follows:

- (1) Bedrooms must have at least 80 square feet of usable floor space when parenting youth and their infants sleep in the same room;
- (2) Only one parenting youth and their infants may occupy a bedroom; and
- (3) The department may grant an exception to this section with approval by an LD administrator if:
 - (a) It is in the best interest of the children or youth in care; and
 - (b) Supported by the:
 - (i) LD licensor; and
 - (ii) Child's or youth's representative.

NEW SECTION

WAC 110-145-3530 Building and premises general requirements when providing pregnant and parenting services. Facilities providing preg-

nant and parenting services must, in addition to the requirements in WAC 110-145-2430, have:

(1) A separate, adequately-equipped examination room with adequate nursing equipment if they offer medical clinics at their facility; and

(2) At least one toilet and handwashing sink on the same floor as all sleeping areas.

COMPLIANCE AND ENFORCEMENT

NEW SECTION

WAC 110-145-3540 Compliance agreements and exceptions. (1) The department may:

(a) Take one or both of the following actions for the safety and well-being of the children and youth in care:

(i) Limit or restrict a license; or

(ii) Require licensees to enter into a compliance agreement; and

(b) Make exceptions to license an applicant or continue to license a licensee if they do not meet the minimum licensing regulations but can demonstrate that they can provide for the safety and well-being of the children and youth in care.

(2) Licensees:

(a) Must keep a copy of any approved exceptions to the licensing regulations on the premises.

(b) Do not have appeal rights if the department denies a request for an exception to the licensing regulations.

NEW SECTION

WAC 110-145-3550 Probationary licenses. (1) The department:

(a) May issue a probationary license to correct a deficiency as outlined in RCW 74.15.125; and

(b) Will consider the following when deciding whether to issue a probationary license:

(i) Intentional or negligent violation of licensing regulations;

(ii) History of violation of licensing regulations;

(iii) Current violations of licensing regulations;

(iv) Whether licensees are making a good faith effort to comply; and

(v) Other factors relevant to the specific situation.

(2) Licensees do not have appeal rights if the department decides to not issue a probationary license.

NEW SECTION

WAC 110-145-3560 Enforcement actions, notices, and appeals. The department:

- (1) May take action against a licensee's license:
 - (a) Including:
 - (i) Modification;
 - (ii) Denial;
 - (iii) Suspension; or
 - (iv) Revocation; and
 - (b) When licensees:
 - (i) Do not meet the minimum licensing regulations in this chapter;
 - (ii) Have not met the background check requirements;
 - (iii) Have been determined by the department to have abused or neglected a child or youth;
 - (iv) Have committed, permitted, or assisted in an illegal act on the premises of a facility providing care to children or youth;
 - (v) Are unable to manage the premises and financial responsibilities;
 - (vi) Tried to get a license by deceitful means, including making false statements or omitting critical information on the application;
 - (vii) Knowingly allowed personnel who made false statements or omitted critical information on their applications to work at the agency;
 - (viii) Cannot provide for the safety and well-being of the children or youth in care; or
 - (ix) Have children or youth in facilities for whom they are not licensed, without approval by the licenser. This includes having children or youth outside of the licensee's allowed:
 - (A) Capacity;
 - (B) Age; or
 - (C) Gender;
- (2) Will send a certified letter to licensees informing them of:
 - (a) The decision to take action against the license; and
 - (b) Their appeal rights as outlined in chapter 110-03 WAC;
- (3) Has jurisdiction over:
 - (a) All licenses issued by the department;
 - (b) All applicants for licenses; and
 - (c) Licensees as outlined in RCW 74.15.030; and
- (4) Retains jurisdiction even if:
 - (a) An applicant requests to withdraw the application; or
 - (b) A licensee surrenders or fails to renew their license.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|------------------|----------------------------------------------------------------|
| WAC 110-145-1300 | What is the purpose of this chapter? |
| WAC 110-145-1305 | What definitions do I need to know to understand this chapter? |

WAC 110-145-1310	Am I required to have a license to provide care to children?
WAC 110-145-1315	When will the department grant me a license?
WAC 110-145-1320	How old do I have to be to apply for a license to provide care to children?
WAC 110-145-1325	What is required to apply for a group care facility license?
WAC 110-145-1330	How does the department determine my suitability to become a licensed provider, or a staff member, intern, or volunteer of a licensed provider?
WAC 110-145-1335	What additional steps must I complete prior to licensing?
WAC 110-145-1340	How long do I have to complete the licensing application process?
WAC 110-145-1345	How long is my license valid?
WAC 110-145-1350	Who shall have access to my facility?
WAC 110-145-1355	Am I required to comply with local ordinances?
WAC 110-145-1360	What children may I serve in my group care program?
WAC 110-145-1365	How does the department decide which children will be placed in my care?
WAC 110-145-1370	Do I have to admit or retain all children?
WAC 110-145-1375	What happens when licensing requirements differ from contract requirements?
WAC 110-145-1380	May a group care facility be issued more than one type of license?
WAC 110-145-1385	When may I be certified to provide care to children?
WAC 110-145-1390	Will you license or continue to license me if I violate licensing regulations?
WAC 110-145-1395	Are there exceptions made if I do not meet the licensing regulations?
WAC 110-145-1400	Must prospective and current staff and volunteers be disqualified from having access to the children in my facility?
WAC 110-145-1405	What may I do if I disagree with your decision to modify, deny, suspend or revoke my license, or to disqualify my background check?
WAC 110-145-1410	How do I appeal the decision of the office of administrative hearings' administrative law judge?
WAC 110-145-1415	Can I be issued a probationary license?
WAC 110-145-1420	Who must I employ at my facility?

WAC 110-145-1425	What are the duties and qualifications of an executive director or administrator?
WAC 110-145-1430	What are the duties and qualifications of a program manager?
WAC 110-145-1435	What if my on-site program manager must be off-site temporarily when youth are present?
WAC 110-145-1440	What are the duties and qualifications of a case manager?
WAC 110-145-1445	What are the duties and qualifications of direct care staff?
WAC 110-145-1450	What are the duties and additional qualifications for crisis residential center direct care staff?
WAC 110-145-1455	If I have health care staff, what qualifications are required?
WAC 110-145-1460	What are the duties and qualifications for case management consultants?
WAC 110-145-1465	What additional supports do I need for my group care facility?
WAC 110-145-1470	Can one staff person have different responsibilities?
WAC 110-145-1475	What are the requirements for volunteers working directly with children and youth at my facility?
WAC 110-145-1480	What are the general ratios of staff to children under care?
WAC 110-145-1485	May I have more than one licensed program at my facility?
WAC 110-145-1490	What are the preservice training requirements for staff, interns, and volunteers who directly care for children?
WAC 110-145-1495	What is the in-service training requirement for staff and volunteers having responsibility to provide care to children?
WAC 110-145-1500	What first-aid and cardiopulmonary resuscitation (CPR) training is required?
WAC 110-145-1505	What bloodborne pathogens training is required?
WAC 110-145-1510	What personnel records must I submit to the department?
WAC 110-145-1515	What are the requirements for information kept in facility shift logs for group care facilities?
WAC 110-145-1520	What are the requirements for children's records?

WAC 110-145-1525	How long should my facility keep the child records?
WAC 110-145-1530	What information can be shared about a child or a child's family?
WAC 110-145-1535	What incidents involving children must I report?
WAC 110-145-1540	What are my reporting responsibilities when a child is missing from care, except for overnight youth shelters?
WAC 110-145-1545	What are my reporting requirements in my licensed facility serving runaway or homeless youth?
WAC 110-145-1550	What changes must I report to my licensor?
WAC 110-145-1555	What does the department require for my buildings and property?
WAC 110-145-1560	What toilet and bathing facilities are required?
WAC 110-145-1565	What is the ratio of persons normally on the premises to bathrooms at my facility?
WAC 110-145-1570	What are the requirements for indoor recreation areas?
WAC 110-145-1575	What are the requirements for outdoor recreation areas?
WAC 110-145-1580	What are your requirements for storing dangerous chemicals or other substances?
WAC 110-145-1585	What are the requirements for water, garbage, and sewer?
WAC 110-145-1590	How must I keep children safe around bodies of water?
WAC 110-145-1595	Are there room requirements for a group care facility?
WAC 110-145-1600	What are the general requirements for bedrooms?
WAC 110-145-1605	What are the requirements for sharing bedrooms?
WAC 110-145-1610	What are the requirements for beds in a facility?
WAC 110-145-1615	What are the requirements for laundering and storage of clothing and linen?
WAC 110-145-1620	What are the requirements for diapers and diaper changing areas?
WAC 110-145-1625	What are the requirements for the use of electronic monitors to monitor children?

WAC 110-145-1630	Are time-delay mechanisms allowed on windows and doors?
WAC 110-145-1635	What are the requirements for the prevention of the spread of infections and communicable disease?
WAC 110-145-1640	Am I required to keep first-aid supplies?
WAC 110-145-1645	What are the requirements regarding pets and animals in my facility?
WAC 110-145-1650	Are alcoholic beverages, marijuana or illegal drugs allowed on a facility's property?
WAC 110-145-1655	Is smoking permitted around children?
WAC 110-145-1660	Are guns allowed on a licensed facility's property?
WAC 110-145-1665	What are the fire safety requirements for all group residential facilities?
WAC 110-145-1670	Do I need a written emergency plan?
WAC 110-145-1675	What requirements must be followed for smoke detectors?
WAC 110-145-1680	What requirements must be followed for carbon monoxide detectors?
WAC 110-145-1685	What are the requirements for fire drills?
WAC 110-145-1690	What are the requirements for fire extinguishers?
WAC 110-145-1695	Are there different construction and fire safety requirements for facilities that have multiple licenses in the same building?
WAC 110-145-1700	What must I include in a child's orientation to my facility?
WAC 110-145-1705	How does my agency meet the religious needs of children in care?
WAC 110-145-1710	What are the requirements about nondiscrimination?
WAC 110-145-1715	Are there additional considerations in service to Native American children?
WAC 110-145-1720	Do I need a social summary for children under my care (except for interim facilities)?
WAC 110-145-1725	When do I need a treatment plan for children in care and what must be included in the plan?
WAC 110-145-1730	What are the educational and vocational instruction requirements for children placed by the department, except interim facilities?

WAC 110-145-1735	What are the requirements for an activity program?
WAC 110-145-1740	Can children in my care receive services through the extended foster care program?
WAC 110-145-1745	What are the general well-being requirements for a group care program?
WAC 110-145-1750	What are the requirements for supervising children?
WAC 110-145-1755	What requirements must I follow when I transport children?
WAC 110-145-1760	What are the travel requirements for children in care?
WAC 110-145-1765	Can children be assigned work in a facility or work outside the facility?
WAC 110-145-1770	Can a child earn allowance while in care?
WAC 110-145-1775	What belongings must be provided to a child leaving my facility?
WAC 110-145-1780	Do I have responsibility for a child's personal hygiene?
WAC 110-145-1785	What are the requirements for privacy for children in out-of-home placements?
WAC 110-145-1790	What are the food and meal guideline requirements?
WAC 110-145-1795	How often do children need to be provided meals?
WAC 110-145-1800	What are the requirements for handling a child's special diet?
WAC 110-145-1805	Are there special requirements for serving milk?
WAC 110-145-1810	Are there special requirements for infants and young children?
WAC 110-145-1815	Are written policies and procedures required describing a facility's discipline methods?
WAC 110-145-1820	When may a child be restrained?
WAC 110-145-1825	What must I do following an incident that involved using physical restraint?
WAC 110-145-1830	Are there requirements for time-out or quiet rooms?
WAC 110-145-1835	Am I required to assess a child's need for immediate medical attention?
WAC 110-145-1840	When must I get an early and periodic screening, diagnosis, and treatment (EPSDT) exam for a child?
WAC 110-145-1845	What are the requirements for obtaining consent for emergency and routine medical care?

WAC 110-145-1850	What requirements are there for the storage of medications?
WAC 110-145-1855	What are the general requirements for managing a child's medication?
WAC 110-145-1860	How do I manage a child's nonprescription medications?
WAC 110-145-1865	Can I give a child nonprescription medications with prescription medications?
WAC 110-145-1870	How do I dispose of medications?
WAC 110-145-1875	Can I accept medication from a child's parent or guardian?
WAC 110-145-1880	When may children take their own medicine?
WAC 110-145-1885	What are the immunization regulations?
WAC 110-145-1890	What type of crisis residential center (CRC) facilities may be licensed?
WAC 110-145-1895	What hours must I be available to receive youth?
WAC 110-145-1900	What residents are admitted to a semi-secure CRC?
WAC 110-145-1905	What residents are admitted to a secure CRC?
WAC 110-145-1910	What are the ratio requirements of staff to youth in crisis residential centers?
WAC 110-145-1915	What are the requirements for secure CRCs?
WAC 110-145-1920	What are additional physical requirements for secure CRCs?
WAC 110-145-1925	May a juvenile detention center operate as a separate secure CRC program?
WAC 110-145-1930	What steps must be taken after a youth is admitted into any CRC?
WAC 110-145-1935	What additional steps must be taken after a youth is admitted into a secure CRC?
WAC 110-145-1940	How long may a youth stay in a CRC?
WAC 110-145-1945	What happens when no space exists in a secure CRC?
WAC 110-145-1950	How is a youth transferred from one type of CRC to another?
WAC 110-145-1955	What intervention services must I provide or arrange for at a CRC?
WAC 110-145-1960	What additional recordkeeping is required for all CRCs?
WAC 110-145-1965	What is the purpose of a CRC multidisciplinary team?

WAC 110-145-1970	When should I convene a CRC multidisciplinary team?
WAC 110-145-1975	How is a CRC multidisciplinary team convened?
WAC 110-145-1980	May a parent disband the CRC multidisciplinary team?
WAC 110-145-1985	Who is eligible to attend my day treatment program?
WAC 110-145-1990	What are the required ratios of staff to children in day treatment centers?
WAC 110-145-1995	What consultants must I use for my day treatment program?
WAC 110-145-2000	Can my emergency respite center have more than one type of license?
WAC 110-145-2005	What are the required ratios of staff to children in an ERC?
WAC 110-145-2010	Who are the residents served at my emergency respite center?
WAC 110-145-2015	Who may place children at my emergency respite center?
WAC 110-145-2020	What information must I obtain before accepting a child for care at my emergency respite center?
WAC 110-145-2025	May services I provide at my emergency respite center substitute for other types of care?
WAC 110-145-2030	Are there additional bed requirements at my emergency respite center?
WAC 110-145-2035	What are the required ratios of staff to children in group homes?
WAC 110-145-2040	Who are the residents at my group receiving center?
WAC 110-145-2045	What are the required ratios of staff to children in group receiving centers?
WAC 110-145-2050	When do I accept placements at my group receiving center?
WAC 110-145-2055	What services must I provide at my group receiving center?
WAC 110-145-2060	What are the requirements for supervision of children at my group receiving center?
WAC 110-145-2065	What services must I provide for medically fragile children?
WAC 110-145-2070	What recordkeeping requirements exist for medically fragile children?
WAC 110-145-2075	What are additional food requirements if I care for medically fragile children?

WAC 110-145-2080	What age groups may I serve in my overnight youth shelter?
WAC 110-145-2085	How are youth admitted to my overnight youth shelter?
WAC 110-145-2090	What are the required ratios of staff to children under care in overnight youth shelters?
WAC 110-145-2095	What steps must I take when a youth first enters an overnight youth shelter?
WAC 110-145-2100	What services must be offered at an overnight youth shelter?
WAC 110-145-2105	What are the additional requirements for bedrooms in overnight youth shelters?
WAC 110-145-2110	What are additional bedding requirements in my overnight youth shelter?
WAC 110-145-2115	Do I need a citizens' board for my overnight youth shelter?
WAC 110-145-2120	What services shall be provided to pregnant and parenting youth?
WAC 110-145-2125	How are services for pregnant and parenting youth delivered?
WAC 110-145-2130	What types of health education must a facility offer to pregnant and parenting mothers?
WAC 110-145-2135	How is capacity determined for a facility that provides services to pregnant and parenting youth?
WAC 110-145-2140	What are the required ratios of staff to children in pregnant and parenting youth programs and programs providing maternity services?
WAC 110-145-2145	What are the facility and room requirements for programs offering services for pregnant and parenting youth?
WAC 110-145-2150	What is the purpose of a resource and assessment center (RAC)?
WAC 110-145-2155	What must I demonstrate to be licensed for an RAC?
WAC 110-145-2160	What is the ratio of direct care staff/volunteers to children at an RAC?
WAC 110-145-2165	Who are the residents at my RAC?
WAC 110-145-2170	How long can a child stay at an RAC?
WAC 110-145-2175	When am I required to be available for services?
WAC 110-145-2180	Who may place children at an RAC?

WAC 110-145-2185	What services are provided or arranged for at an RAC?
WAC 110-145-2190	How many children may be served in my staffed residential home?
WAC 110-145-2195	What are the required ratios of staff to children under care in an SRH?
WAC 110-145-2200	Who is eligible to manage my staffed residential home?