



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Social and Health Services, Children's Administration

- Preproposal Statement of Inquiry was filed as WSR: 13-16-005 ; 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).

- Original Notice
- Supplemental Notice to WSR:
- Continuance of WSR:

Title of rule and other identifying information: (Describe Subject)

WAC for Extended Foster Care

Repealed: WAC 388-25-0518, 388-25-0520, 388-25-0522, 388-25-0524, 388-25-0526, 388-25-0538.

Amended: WAC 388-25-0110; 388-148-0010, 388-25-0502, 388-25-0504, 388-25-0506, 388-25-0508, 388-25-0510, 388-25-0516, 388-25-0528, 388-25-0530, 388-25-0532, 388-25-0534, 388-25-0536, 388-25-0540, 388-25-0544, 388-25-0546, 388-25-0548

Hearing location(s):

Office Building 2 – Lookout Room
DSHS Headquarters
1115 Washington
Olympia, WA 98504
Public parking at 11th and Jefferson. A map is available at:
<http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>

Date: **January 7, 2014** Time: **10:00 a.m.**

Submit written comments to:

Name: DSHS Rules Coordinator
Address: PO Box 45850
Olympia, WA 98504
e-mail DSHSRPAURulesCoordinator@dshs.wa.gov
fax (360) 664-6185

by:

5 p.m. on January 7, 2014

Assistance for persons with disabilities: Contact Jennisha Johnson, DSHS Rules Consultant by December 22., 2013
TTY (360) 664-6178 or (360) 664-6094 or by email at jennisha.johnson@dshs.wa.gov

Date of intended adoption: Not earlier than January 8, 2014
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The department is creating WAC to support E2SSB5405- Extended Foster Care Services. E2SSB5405 authorizes Children's Administration to additionally provide extended foster care services to youth age eighteen up to twenty-one years who are eligible to receive foster care services authorized under RCW 74.13.031 and participating in a program or activity designed to promote employment or remove barriers to employment. Youth whose dependency has been dismissed may enter a Voluntary Placement Agreement one time. A youth must agree to the entry of a dependency order within 180 days of the date the youth was placed in foster care through the VPA to continue to receive services.

Reasons supporting proposal:

E2SSB5405- Extended Foster Care Services enables Washington state to access a federal match of funds under 2008 Federal Legislation "Fostering Connections to Success and Increasing Adoptions Act". The Act provides an option permitting states to use Title IV-E foster care funds for youth who wish to pursue secondary or post-secondary education programs from age 18 up to 21 years old. E2SSB5405 authorizes extended foster care services for youth ages 18 to 21 years to complete a postsecondary academic or postsecondary vocational education program and expands the services to eligible youth participating in an employment related program

Statutory authority for adoption: RCW 13.34.145; 13.34.267; 74.13.031; 43.88C.010;74.13.107; 43.131.416; 13.34.030

Statute being implemented:
74.13.031

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE

November 14, 2013

NAME (type or print)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 20, 2013

TIME: 9:32 AM

WSR 13-23-102

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization) Department of Social and Health Services
Children's Administration

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Deanna Bedell	Children's Administration	(360) 902-0863
Implementation.... Christine Kerns	Children's Administration	(360) 902-0250
Enforcement..... Christine Kerns	Children's Administration	(360) 902-0250

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

Phone: ()

Fax: ()

e-mail

No. Explain why no statement was prepared.

Not required. These rules are dictated by Washington State statute.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone: ()

fax: ()

e-mail:

No: Please explain: Not required. These rules are dictated by Washington State statute.

WAC 388-25-0110 What is the effective date for termination of foster care payments? (1) The department ends payment on the day before the child actually leaves the foster home or facility. The department does not pay for the last day that a child is in a foster care home or facility.

(2) The department terminates family foster care payments for children in family foster care effective the date:

(a) The child no longer needs foster care; or

(b) The child no longer resides in foster care (~~(except as provided in WAC 388-25-0180)~~); (~~or~~)

(c) The child reaches the age of eighteen(~~(-)~~); or

(d) The child is no longer eligible for the extended foster care program and the dependency action is dismissed or voluntary placement agreement (VPA) is revoked. To be eligible for the extended foster care program a child, age eighteen must be:

(i) (~~(If the child continues to attend, but has not finished, high school or an equivalent educational program at the age of eighteen and has a need for continued family foster care services, the department may continue payments until the date the child completes the high school program or equivalent educational or vocational program. The department must not extend payments for a youth in care beyond age twenty.)~~) Completing a high school diploma or high school equivalency certificate;

(ii) (~~(If the child has applied and demonstrates he or she intends to timely enroll, or is enrolled and participating in a post-secondary education program, or a post secondary vocational program at the age of eighteen and has a need for continued family foster care services, the department may continue payments until the date the child reaches his or her twenty first birthday or is no longer enrolled in and participating in a post secondary program, whichever is earlier)~~) Completing a post-secondary academic or vocational program;

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(3) The department must terminate foster care payments for children in the behavior rehabilitative services program effective the date:

(a) The child no longer needs rehabilitative services; or

(b) The child is no longer served through contracted rehabilitative services program except as provided in WAC 388-25-0030; or

(c) The child reaches the age of eighteen and continues to attend, but has not finished, high school or an equivalent educational program and has a need for continued rehabilitative treatment services, the department may continue payments until the date the youth completes the high school program or equivalent educational or vocational program. The department must not extend payments for a youth in care beyond age twenty.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0502 What is the purpose of the extended foster care program? The extended foster care program provides an opportunity for young adults in foster care at age eighteen to voluntarily agree to continue receiving foster care services, including placement services, while the youth completes a secondary or post-secondary academic or vocational program, or participates in a program or activity designed to promote employment or remove barriers to employment.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0504 What is extended foster care? Extended foster care is a program offered to young adults, age eighteen up to twenty-one, who turn eighteen while in foster care, to enable them to (~~complete~~):

(1) Complete a high school diploma or (~~general~~) high school equivalency (~~diploma~~) certificate;

(2) Complete a post-secondary academic or vocational (~~education~~) program;

(3) Participate in a program or activity designed to promote employment or remove barriers to employment.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0506 Who is eligible for extended foster care? To be eligible for the extended foster care program a youth, on his or her eighteenth birthday, must:

(1) Be dependent under chapter 13.34 RCW(~~+~~
~~2~~)) be placed in foster care (as defined in WAC 388-25-0508) by children's administration, and:

(a) Be enrolled (as described in WAC 388-25-0512) in a high school or secondary education equivalency program; or

(b) Be enrolled (as described in WAC 388-25-0512) in a post-secondary academic or vocational education program; or

(c) Have applied for and can demonstrate intent to timely enroll in a post-secondary academic or vocational education program (as described in WAC 388-25-0514); or

(d) Be participating in a program or activity designed to promote employment or remove barriers to employment.

(2) Have had their dependency dismissed on their eighteenth birthday as the youth did not meet any of the criteria found in WAC 388-25-0506(1)(a) through (d) or did not agree to participate in the program and the youth is requesting to participate in the extended foster care program prior to reaching the age of nineteen. Youth must meet one of the criteria (1)(a) through (d) when requesting to participate in the extended foster care program.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0508 When is a youth considered to be "in foster care"? For the purpose of determining initial eligibility for the extended foster care program, a youth is in foster care if the youth is under children's administration (CA) placement and care authority, is placed by CA in out of home care, in relative care, licensed foster home, licensed group care, or other suitable person placement. (~~Provided~~) A youth is considered to be in foster care:

(1) ((A)) If the youth ((who)) is temporarily away from a foster care placement in:

(a) A hospital;

(b) A drug/alcohol treatment facility;

(c) A mental health treatment facility; or

(d) A county detention center for less than thirty days ((in a county detention center is considered to be in foster care)).

(2) ((A)) If the youth ((who)) is temporarily away from his or her foster care placement without permission of the case worker or care giver, but who is expected to return to foster care within twenty days, is considered to be in foster care for purposes of determining initial eligibility.

(3) ((A)) If the youth ((who)) is committed to juvenile justice and rehabilitation administration custody and ((who)) resides in a foster home, group home, or community facility, as defined in RCW 74.15.020 (1)(a).

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0510 When is a youth not "in foster care"? For the purposes of determining initial eligibility for the extended foster care program, a youth is not in foster care if the youth is:

(1) Placed with a parent;

(2) In a dependency guardianship or chapter 13.36 RCW;

(3) Committed to and residing in a juvenile justice and rehabilitation administration ((JRA)) institution (as defined in RCW 13.30.020(12)) or to the department of corrections; or

(4) Absent from his/her foster care placement without permission of the case worker or care giver for more than twenty consecutive days.

NEW SECTION

WAC 388-25-0515 How does a youth demonstrate participation in a program or activity designed to promote employment or remove barriers to employment? (1) Actively participate in a state, federal, tribal or community program that addresses any barriers to employment that the youth may have and/or prepares or trains individuals for employment; or

- (2) Involved in a self-directed program that will remove any barriers to employment and will prepare a youth for employment: or
- (3) Working less than eighty (80) hours a month.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0516 **What if an eligible youth does not want to participate in the extended foster care program ((at age eighteen))?** ((Youth may elect to participate in the extended foster care program beginning on their eighteenth birthday. The law recognizes an eligible youth may need time beyond the eighteenth birthday to consider if they want continued foster care services. It provides a six month grace period or a time for "trial independence", from date of youth's eighteenth birthday, to give the youth an opportunity to change their mind)) Participation in extended foster care is voluntary. A youth who does not agree to participate in extended foster may request the court to dismiss the dependency.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0528 **How does a youth agree to participate in extended foster care program?** (1) An eligible dependent youth can agree to participate by:

- ~~((1))~~ (a) Signing an extended foster care agreement; or
- ~~((2))~~ (b) For developmentally ((delayed)) disabled youth, remaining in the foster care placement and continuing in an appropriate educational program.

(2) An eligible nondependent youth can agree to participate by:

- (a) Signing a voluntary placement agreement (VPA) before reaching age nineteen; or
- (b) Establishing a nonminor dependency before reaching age nineteen.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0530 **Where do youth obtain information about how to participate in the program?** (1) The department must provide dependent youth between the age of seventeen and seventeen and a half:

(a) Written documentation explaining the availability of extended foster care services.

(b) Detailed instructions on how to access such services after he or she reached age eighteen.

(2) Youth can contact:

- ~~((1))~~ (a) Youth's attorney/CASA/GAL.
- ~~((2))~~ (b) Youth's ((social)) worker.

- ((3)) (c) Local children's administration office.
((4)) (d) www.independence.wa.gov.
((5)) (e) 1-866-END-HARM.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0532 ~~Can (a youth participating in the extended foster care program to complete a secondary education or equivalency program continue to receive extended foster care services to participate in a post-secondary education program)~~ an extended foster care participant continue in extended foster care under a different eligibility category? Yes(~~(, if at the time the secondary program is completed, the youth is enrolled in, or has applied to, and can demonstrate they intend to timely enroll in, a post-secondary academic or vocational program)~~). A youth may transition among the eligibility categories while under the same voluntary placement agreement or dependency order, so long as the youth remains eligible during the transition.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0534 ~~((Is there a trial independence period for a youth who completes his or her secondary education program while participating in extended foster care and before the youth enters a post-secondary program))~~ If an extended foster care participant loses his or her eligibility before he or she turns nineteen, can he or she re-apply for extended foster care? (~~No, if a youth completes a secondary education program while in extended foster care, the dependency will be dismissed and foster care services will end, unless the youth has enrolled in, or applied to and can demonstrate an intent to timely enroll in, a post-secondary academic or vocational program)~~) Yes. If a youth was receiving extended foster care services and lost eligibility, he or she may reapply as long as:

- (1) The youth has not turned nineteen; and
- (2) The youth meets one of the conditions for eligibility in WAC 388-148-2506; and
- (3) The youth has not entered into a prior voluntary placement agreement with the department for the purposes of participating in the extended foster care program.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0536 **What are CA's responsibilities to a youth who is participating in extended foster care?** Children's ((a)) Administration (CA) is required to have placement and care authority over the youth and to provide foster care services, including transition plan-

ning and independent living services, medical assistance through medicaid, and case management. Case management includes findings or approving a foster care placement for the youth, convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the youth, caseworker visits, and court-related duties, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the youth is progressing toward independence within state and federal mandates. CA has responsibility to inform the court of the status of the child (including health, safety, welfare, education status and continuing eligibility for extended foster care program). The department's placement and care authority over a youth receiving extended foster care services is solely for the purpose of providing services and does not create a legal responsibility for the actions of the youth receiving extended foster care services.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0540 How does CA determine a youth's continuing eligibility for extended foster care program? At least every six months, children's administration will determine if youth continues to:

- (1) Agree to participate in the extended foster care program.
- (2) Be enrolled in an education program, vocational program, or participating in a program or activity designed to promote employment or remove barriers to employment, or is transitioning from one status to another.
- (3) Continue to reside in approved placement.
- (4) Comply with youth's responsibilities in WAC 388-25-0546.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0544 What are the youth's rights in the extended foster care program? Youth have a right to:

- (1) An approved foster care placement.
- (2) Foster care services including medical assistance through medicaid.
- (3) Participate in the court process as a party to the case.
- (4) Have an attorney appointed for them upon filing a notice of intent to file a petition for dependency and in dependency proceedings.
- (5) End their participation in the program at any time.
- (6) Referrals to community resources as appropriate.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0546 What must the youth do to remain in the extended foster care program? Unless otherwise authorized by court order the youth must:

- (1) Agree to participate in the program as expressed in the written extended foster care agreement;
- (2) Maintain standard of eligibility as set by the youth's academic program or employment related program;
- (3) Participate in the case plan, including monthly health and safety visits;
- (4) Acknowledge that children's administration (CA) has responsibility for the youth's care and placement by authorizing CA to have access to records related to court-ordered medical, mental health, drug/alcohol treatment services, educational records needed to determine continuing eligibility for the program, and for additional necessary services; and
- (5) Remain in the approved foster care placement and follow placement rules. This means the youth will:
 - (a) Stay in placement identified by CA or approved by the court;
 - (b) Obtain approval from case worker and notify caregiver for extended absence from the placement of more than three days; and
 - (c) Comply with court orders and any specific rules developed in collaboration by the youth, caregiver and social worker.

AMENDATORY SECTION (Amending WSR 13-08-017, filed 3/25/13, effective 4/25/13)

WAC 388-25-0548 When is a youth no longer eligible for the extended foster care program? A youth is no longer eligible for the extended foster care program and the department will ask the court to dismiss the dependency when the youth:

- (1) Graduates from high school or equivalency program, and has not enrolled in, or applied for and demonstrated an intent to timely enroll in a post-secondary academic or vocational program;
- (2) Graduates from a post-secondary education or vocational program;
- (3) Reaches their twenty-first birthday;
- (4) Is no longer participating or enrolled in high school, equivalency program, post-secondary or vocational program, program promoting employment or removing barriers to employment;
- (5) No longer agrees to participate in foster care services;
- (6) Fails or refuses to comply with youth responsibilities outlined in WAC 388-25-0546; or
- (7) Is incarcerated in an adult detention facility on a criminal conviction.

WAC 388-148-0010 What definitions do I need to know to understand this chapter? The following definitions are for the purpose of this chapter and are important to understand these rules:

"Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment or mistreatment of a child where the child's health, welfare and safety are harmed.

"Agency" is defined in RCW 74.15.020(1).

"Assessment" means the appraisal or evaluation of a child's physical, mental, social and/or emotional condition.

"Capacity" means the maximum number of children that a home or facility is licensed to care for at a given time.

"Care provider" means any licensed or certified person or organization or staff member of a licensed organization that provides twenty-four-hour care for children.

"Case manager" means the private agency employee who coordinates the planning efforts of all the persons working on behalf of a child. Case managers are responsible for implementing the child's case plan, assisting in achieving those goals, and assisting with day-to-day problem solving.

"Certification" means:

(1) Department approval of a person, home, or facility that does not legally need to be licensed, but wishes to have evidence that it meets the minimum licensing requirements; or

(2) Department licensing of a child-placing agency to certify that a foster home meets licensing requirements.

"Children" or **"youth,"** for this chapter, means individuals who are:

(1) Under eighteen years old, including expectant mothers under eighteen years old; or

(2) Up to twenty-one years of age and pursuing a high school, equivalent course of study (GED), or vocational program or post-secondary academic or post-secondary vocational program, or program promoting employment or removing barriers to employment;

(3) Up to twenty-one years of age with developmental disabilities; or

(4) Up to twenty-one years of age if under the custody of the Washington state juvenile rehabilitation administration.

"Child-placing agency" means an agency licensed to place children for temporary care, continued care or adoption.

"Crisis residential center (CRC)" means an agency under contract with DSHS that provides temporary, protective care to children in a foster home, regular (semi-secure) or secure group setting.

"Compliance agreement" means a written licensing improvement plan to address deficiencies in specific skills, abilities or other issues of a fully licensed home or facility in order to maintain and/or increase the safety and well-being of children in their care.

"DCFS" means the division of children and family services.

"DDD" means division of developmental disabilities.

"Department" means the department of social and health services (DSHS).

"Developmental disability" is a disability as defined in RCW 71A.10.020.

"DLR" means the division of licensed resources.

"Firearms" means guns or weapons, including but not limited to the following: BB guns, pellet guns, air rifles, stun guns, antique guns, bows and arrows, handguns, rifles, and shotguns.

"Foster-adopt" means placement of a child with a foster parent(s) who intends to adopt the child, if possible.

"Foster home or foster family home" means person(s) licensed to regularly provide care on a twenty-four-hour basis to one or more children in the person's home.

"Full licensure" means an entity meets the requirements established by the state for licensing or approved as meeting state minimum licensing requirements.

"Group care facility for children" means a location maintained and operated for a group of children on a twenty-four-hour basis.

"Group receiving center" or "GRC" means a facility providing the basic needs of food, shelter, and supervision for more than six children placed by the department, generally for thirty or fewer days. A group receiving center is considered a group care program and must comply with the group care facility licensing requirements.

"Hearing" means the administrative review process.

"I" refers to anyone who operates or owns a foster home, staffed residential home, and group facilities, including group homes, child-placing agencies, maternity homes, day treatment centers, and crisis residential centers.

"Infant" means a child under one year of age.

"License" means a permit issued by the department affirming that a home or facility meets the minimum licensing requirements.

"Licensor" means:

(1) A division of licensed resources (DLR) employee at DSHS who:

(a) Approves licenses or certifications for foster homes, group facilities, and child-placing agencies; and

(b) Monitors homes and facilities to ensure that they continue to meet minimum health and safety requirements.

(2) An employee of a child-placing agency who:

(a) Attests that foster homes supervised by the child-placing agency meets licensing requirements; and

(b) Monitors those foster homes to ensure they continue to meet the minimum licensing standards.

"Maternity service" as defined in RCW 74.15.020.

"Medically fragile" means the condition of a child who has a chronic illness or severe medical disabilities requiring regular nursing visits, extraordinary medical monitoring, or on-going (other than routine) physician's care.

"Missing child" means:

(1) Any child up to eighteen years of age for whom Children's Administration (CA) has custody and control (not including children in dependency guardianship) and:

(a) The child's whereabouts are unknown; and/or

(b) The child has left care without the permission of the child's caregiver or CA.

(2) Children who are missing are categorized under one of the following definitions:

(a) **"Taken from placement"** means that a child's whereabouts are unknown, and it is believed that the child is being or has been concealed, detained or removed by another person from a court-ordered placement and the removal, concealment or detainment is in violation of the court order;

(b) **"Absence not authorized, whereabouts unknown"** means the child is not believed to have been taken from placement, did not have permission to leave the placement, and there has been no contact with the child and the whereabouts of the child is unknown; or

(c) **"Absence not authorized, whereabouts known"** means that a child has left his or her placement without permission and the social worker has some contact with the child or may periodically have information as to the whereabouts of the child.

"Multidisciplinary teams (MDT)" means groups formed to assist children who are considered at-risk youth or children in need of services, and their parents.

"Nonambulatory" means not able to walk or traverse a normal path to safety without the physical assistance of another individual.

"Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

"Out-of-home placement" means a child's placement in a home or facility other than the child's parent, guardian, or legal custodian.

"Premises" means a facility's buildings and adjoining grounds that are managed by a person or agency in charge.

"Probationary license" means a license issued as part of a disciplinary action to an individual or agency that has previously been issued a full license but is out of compliance with minimum licensing requirements and has entered into an agreement aimed at correcting deficiencies to minimum licensing requirements.

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

"Relative" means a person who is related to the child as defined in RCW 74.15.020 (4)(a)(i), (ii), (iii), and (iv) only.

"Respite" means brief, temporary relief care provided to a child and his or her parents, legal guardians, or foster parents with the respite provider fulfilling some or all of the functions of the care-taking responsibilities of the parent, legal guardian, or foster parent.

"Secure facilities" means a crisis residential center that has locking doors and windows, or secured perimeters intended to prevent children from leaving without permission.

"Service plan" means a description of the services to be provided or performed and who has responsibility to provide or perform the activities for a child or child's family.

"Severe developmental disabilities" means significant disabling, physical and/or mental condition(s) that cause a child to need external support for self-direction, self-support and social participation.

"Social service staff" means a clinician, program manager, case manager, consultant, or other staff person who is an employee of the agency or hired to develop and implement the child's individual service and treatment plans.

"Staffed residential home" means a licensed home providing twenty-four-hour care for six or fewer children or expectant mothers. The home may employ staff to care for children or expectant mothers. It may or may not be a family residence.

"Standard precautions" is a term relating to procedures designed to prevent transmission of bloodborne pathogens in health care and other settings. Under standard precautions, blood or other potentially infectious materials of all people should always be considered poten-

tially infectious for HIV and other pathogens. Individuals should take appropriate precautions using personal protective equipment like gloves to prevent contact with blood or other bodily fluids.

"Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings, which must be approved by the children's administration or the court.

"Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a non-minor dependent who agrees to submit to the care and authority of the department for the purpose of participating in the extended foster care program.

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

"We" or "our" refers to the department of social and health services, including DLR licensors and DCFS social workers.

"You" refers to anyone who operates a foster home, staffed residential home, and group facilities, including group homes, maternity programs, day treatment programs, crisis residential centers, group receiving centers, and child-placing agencies.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|-----------------|---|
| WAC 388-25-0518 | What is the trial independence or grace period? |
| WAC 388-25-0520 | Does an eligible youth who elects to participate in extended foster care on his or her eighteenth birthday receive a trial independence period? |
| WAC 388-25-0522 | When does the six-month trial independence period end? |
| WAC 388-25-0524 | If a youth does not remain enrolled in school during the trial independence period may the youth still elect to participate in the program? |
| WAC 388-25-0526 | Does a youth have to agree to participate in extended foster care program? |
| WAC 388-25-0538 | What is the CA's responsibility for the youth during the six-month trial independence period? |