



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: DSHS, Children's Administration

Emergency Rule Only

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose:

WAC 388-160-0265 establishes notification requirements for licensed shelters and organizations for the safety of youth served. RCW 13.32A.082 was changed requiring staff to contact parents within 72 hours of a youth coming to a shelter without parental permission, unless there are compelling reasons. If compelling reasons exist, the department must be contacted. The law also requires staff to check information that is publicly available at Washington State Patrol every 8 hours to see if a youth is listed as a runaway.

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 388-160-0265
 Suspended:

Statutory authority for adoption: RCW 13.32A.082

Other authority :

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding:

RCW 13.32A.082 was passed in 2013, changes have not made been to WAC 388-160-0265 to reflect changes in legislation that specify reporting requirements for shelters and licensed organizations that serve youth. Therefore, these changes need to go into effect immediately.

Date adopted:

September 18, 2014

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: September 26, 2014

TIME: 12:43 PM

WSR 14-20-066

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	<u>1</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____

WAC 388-160-0265 Do I need to report runaway youth who stay at the shelter? (1) If you are licensed as an overnight youth shelter or are otherwise licensed to provide residential services for runaway or homeless youth, and you learn that a youth in your facility does not have a parental permission to be there, you or your staff must:

(a) Within ((eight)) seventy-two hours ((of learning that a youth staying at a shelter does not have parental permission to be there, shelter staff must report the location of the youth to:

(a) The parent;

(b) The law enforcement agency having jurisdiction in the shelter's area; or

(c) The department--))

(2) The shelter staff must:))

(a) Make the report by telephone or other reasonable means; and))

(b) Document the report in writing in the youth's file.))

(preferably within twenty-four hours), notify the parent by telephone or other reasonable means unless compelling reasons exist. You must provide the youth's whereabouts, give a description of the youth's physical and emotional condition, and report the circumstances surrounding the youth's contact with your facility. You must document this notification in the youth's file.

(b) If compelling reasons exist, you must notify children's administration intake. This includes reason to believe notifying the youth's parents will result in abuse or neglect of the youth as defined in RCW 26.44.020.

(c) You or your staff must also review the public information on missing youth made available by the Washington state patrol at least once every eight hours while a youth is present at your facility. If a youth is listed as missing, you must immediately notify children's administration intake with the information listed in (1)(a) above.