

DCYF_LD_Group Care Records and Reporting

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Washington State Department of
CHILDREN, YOUTH & FAMILIES

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WAC 110-145-2710 Personnel records

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, preservice 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.

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WAC 110-145-2780 Reporting incidents

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 licensor 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;

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- (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.

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

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;

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- (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.

WAC 110-145-2800 Alternate reporting requirements for licensed facilities serving runaway and homeless children and youth

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.

WAC 110-145-2810 Reporting facility, program, and licensee changes

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 bylaws;
- (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.

WAC 110-145-2860 Admission and general recordkeeping

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.

WAC 110-145-2890 Children's and youth's well-being files

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

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(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.

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WAC 110-145-2900 Sharing records or information about children, youth, or their families

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.

WAC 110-145-2910 Medical records requirements

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.

WAC 110-145-2920 Retention of children's and youth's records after facility closure

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.

WAC 110-145-3010 Records for each shift

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 OYs;

(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.