

Course Accessibility

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Welcome

Welcome to this course titled, **Group Care Licensing Process and Department Access**.

This course is developed as part of the Washington State Department of Children, Youth, and Families (DCYF's) efforts to prepare Group Care Licensors for their roles and responsibilities as it pertains to interpreting, understanding, and applying the Washington Administrative Code (WAC) in licensing Group Care Facilities (GCF).

Course Introduction

This course is designed to introduce you to the amended WAC requirements related to the Licensing Process and Department Access of GCF. This course will focus on changes to the current WAC and specific amended language to pay particular attention to.

Learning Outcomes

Upon completion of this course, participants will:

- Have a shared understanding of the intent of the WAC covered in this module
- Know and understand the Negotiated Rule Making (NRM) and strength-based principles associated with the WAC covered in this module
- Learn the scope of DCYF Licensing Division's role in licensing group care facilities
- Become familiar with the amended WAC that regulates group care facility requirements
- Be aware of the requirements needed to complete the initial licensing and renewal of group care facilities
- Learn the process for determining applicant suitability and license capacity
- Understand the scope of department access to group care facilities

Guiding Principles

As we cover the material in this course, please keep in mind the following Guiding Principles. We will revisit these at the end of the course to check in with you and give you an opportunity

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Washington State Department of
CHILDREN, YOUTH & FAMILIES

Approved for distribution by Jesse Byrd, Workforce
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to assess your understanding and application of the course content.

General Principles:

- Group care licensees have a responsibility to ensure the health, safety, and well-being of children and youth in care
- DCYF is responsible for protecting the children and youth in licensed group care programs and conduct non-biased equitable assessments of group care providers who apply for licensure
- All licensed group care providers are required to operate facilities and provide services to children and youth in care in accordance with Revised Code of Washington (RCW), WAC, and DCYF Policy and Procedures

NRM Principles:

- Prioritizing youth safety and well-being above all else
- Creating developmentally and culturally appropriate rules that meet the needs of children & youth placed in care
- Minimizing barriers and reducing undue burden on the part of caregivers
- Offering differentiation and flexibility between care settings to help support a variety of programs across the state serving children and youth with diverse needs

Strength-Based Approach Principles:

- Reducing Bias
 - Checking biases helps reduce their influence on decision making and builds fairness and equity in licensing practices
- Recognizing Strengths
 - Acknowledge and value licensee's expertise, consistent areas of compliance and capabilities to learn, grow, and change
- Fostering Understanding
 - Focus on a shared understanding of WAC intent and approach areas of noncompliance with curiosity to promote safe, thriving environments for children and youth
- Achieving Collaborative Compliance
 - Honor cultural differences and perspectives to identify diverse methods of achieving compliance with WAC intent

Collaborative Compliance Principles:

- Shared Decision Making

- Collaborative compliance thrives on licensors and licensees working together to meet both WAC intent and child and youth safety and well-being needs
- Encouraging Innovation
 - Collaborative compliance relies on licensors empowering licensees to think creatively about customizing WAC compliance solutions to better meet the developmental and cultural needs of children and youth in care
- Empowering Licensees as Experts
 - Collaborative compliance assumes that licensees are the experts of their facilities, homes, and programs
- Embracing Perspective and Critical Thinking
 - Collaborative compliance requires critical thinking from both licensors and licensees

Course WAC

This course will cover the following sections from chapter 110-145 WAC Licensing Process:

- WAC 110-145-2360 License application requirements
- WAC 110-145-2370 Determining applicants' and licensees' suitability
- WAC 110-145-2380 Disqualification of applicants and licensees
- WAC 110-145-2390 Determining license capacity
- WAC 110-145-2400 License renewal requirements
- WAC 110-145-2410 Department access to facilities

These revised standards enable DCYF to collaborate with providers in adopting developmentally and culturally appropriate and flexible practices that better support the unique needs of children and youth in care.

RCW, WAC, and Policies and Procedures

Licensing requirements for group care licensees are governed by RCW, WAC, DCYF Policies and Procedures, and DCYF Policy Memos. [RCW 43.216](#) establishes the department's duties and the scope of the department's authority.

The primary duty of group care licensing is to evaluate group care applicants and licensees, and to determine compliance with RCW and WAC.

For Licensing purposes, **Group Care Facilities include:**

- Group Homes (GH)

- Staffed Residential Homes (SRH)
- Overnight Youth Shelters (OYS)
- Crisis Residential Centers (CRC)
- Secure Crisis Residential Centers (SCRC)
- Medically Fragile
- Emergency Respite Centers (ERC)
- Pregnant and Parenting Services
- Resource and Assessment Centers (RAC)
- Group Receiving Centers (GRC)

Chapter 110-145 WAC Scope of Authority

As we move forward in this training, it is important to understand the role and scope of authority of DCYF licensing as it pertains to evaluating group care applicants who apply for licensure and licensees once licensed. DCYF Licensing Division staff work with group care licensees to maintain compliance with WAC regulations.

For group care applicants to become licensed, they must meet the requirements outlined in WAC that are specific to their license type. WAC outlines rules and regulations that govern group care applicants and licensees, detailing the requirements to become and maintain licensure. Group care licensees are responsible for maintaining compliance with the WAC throughout licensure.

Group care licensees must meet licensing requirements as outlined in chapter 110-145 WAC.

WAC 110-145-2360 License Application Requirements

The intent of WAC 110-145-2360, License application requirements, is to provide the requirements to be licensed as a group care facility to serve children and youth overnight and on a 24-hour basis. This new WAC incorporates requirements from WAC 110-145-1320, 1325(1),(2), and (last sentence of 6), 1335(1)(a-d),(2), and (3), and 1340(1) and (2) with no distinctive changes to the requirements.

It is important to pay particular attention to the definitions of an application and a complete application packet.

“Application” means the paper form used to initiate the application process.

“Complete Application Packet” means the application and all required documents as indicated.

For a prospective group care applicant to become licensed, they must complete and submit a Group Care License Application. Applicants will complete DCYF Form 10-408b.

Group Care Licensing Application vs Complete Application Packet

To initiate the group care licensing process, applicants must submit at a minimum, the:

- Group Care Licensing Application (DCYF 10-408b)
- Background Authorization (DSHS 09-653)
- Out-of-State CA/N check (DCYF 15-460)

When a group care licensing application is submitted, licensors will denote the license in FamLink as pending to begin the licensing process. Group care licensors have up to 120 days from the date of receipt of application to approve the license.

Submitting a group care application only begins the licensing process. The application process is not considered complete until all required documents are submitted as part of the complete application packet.

The group care licensing application specifies additional required documents, as outlined in WAC 110-145-2360, that must be submitted as part of the application packet to be considered complete.

When an applicant submits the group care licensing application and begins the licensing process, the applicant will have 90 days to submit the remaining required documents. If an applicant is unable to meet the 90-day deadline, group care licensing staff may withdraw the application. When an application meets all licensing application requirements, it is considered a complete licensing application packet. Group care licensors will review and evaluate completed licensing application packets before approving a license.

Group Care Application Required Documents

In accordance with WAC 110-145-2360, applicants are required to submit the necessary documents as part of their complete application packet. Some of these application requirements will require the licensor and licensee to utilize strength-based approach principles to reach collaborative compliance.

These application required documents include, but are not limited to:

- Floor plan
- Detailed written program description for department approval

- On-going training program
- Emergency and evacuation plans
- Policies and procedures for department approval
- Department of Health (DOH) inspection certificate of compliance and State Fire Marshal inspection approval verification (when required)

Completed Application Packet Review Process

Once a completed group care licensing application packet is submitted and received, group care licensors will utilize a checklist to review and ensure that the application packet meets the licensing requirements. As previously mentioned, there are several types of GCFs and group care licensors are required to use a checklist specific to the facility type being licensed.

Site Inspections

Before a GCF can become licensed, an LD site inspection must be completed to ensure the facility meets minimum licensing requirements. During the site visit, group care licensors will conduct the inspection using a checklist specific to the type of facility being licensed. DOH and Fire Marshal site inspections are also required to ensure rule compliance.

WAC 110-145-2370 Determining Applicants' and Licensees' Suitability

WAC 110-145-2370, Determining applicants' and licensees' suitability, was formally WAC 110-145-1330. The intent of this WAC is to outline the personnel suitability requirements for licensed GCFs. There are no distinctive changes to the requirements of this new WAC.

As part of the application process, the department will assess the suitability of the applicant and licensee upon receiving the licensing application and background authorizations. In line with DCYF's ongoing effort to eliminate institutional and systemic barriers, DCYF licensing staff will utilize a strength-based approach in working to provide equitable assessments throughout the licensing process.

It is important to pay particular attention to the definition of licensee.

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

WAC 110-145-2370 Determining Applicants' and Licensees' Suitability

In accordance with WAC 110-145-2370 (2) Applicants and licensees must pass a background check, per chapter 110-04 WAC. Additionally, licensors must utilize strength-based approach

principles to assess that these individuals demonstrate that they have the (3)(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 (3)(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.

By incorporating strength-based approach principles in the suitability assessment process, applicants and licensees will be able to work with their licensor in a collaborative way to reach compliance. This means that the applicant and licensee may have multiple pathways to choose from for meeting compliance.

WAC 110-145-2370 Determining Applicants' and Licensees' Suitability

At any time during the licensing process, the department may request additional information from applicants and licensees, and if necessary, may require applicants and licensees to undergo an evaluation by an evaluator recommended by the department. If the department requires an evaluation, applicants or licensees must pay any associated costs and provide written consent for the evaluator to share information with the department before and during the evaluation process.

WAC 110-145-2370 Determining Applicants' and Licensees' Suitability

Prior to granting or renewing a license, group care licensors will confirm that all applicants and licensees have fulfilled the training requirements outlined in chapter 110-145 WAC. If, at any time during the licensing process an individual is found to have misrepresented themselves or provided fraudulent information, the department may disqualify them from receiving a license, providing services, or having access to children and youth in care.

WAC 110-145-2380 Disqualification of Applicants and Licensees

WAC 110-145-2380, Disqualification of applicants and licensees, was formally WAC 110-145-1400. The intent of this WAC is to outline the circumstances in which the department must disqualify an applicant or licensee from receiving a license, providing services, or having access to children and youth in care. There are no distinctive changes to the requirements of this new WAC.

In the event that an applicant or licensee does not pass a background check per chapter 110-04 WAC, or meet the regulations of chapter 110-145 WAC through the collaborative compliance process, the department must disqualify them. If an applicant or licensee is disqualified, the department will provide notification as appropriate.

WAC 110-145-2390 Determining License Capacity

The intent of WAC 110-145-2390, Determining license capacity, is to clarify the requirements

associated with determining general licensing capacity for group care facilities. This new WAC replaces WAC 110-145-1365. There are no distinctive changes to the requirements of this new WAC.

It is important to note that the process of assessing capacity will require incorporating strength-based approach principles to achieve collaborative compliance.

Test Your Learning

Before we continue, let's test your learning. Review the question and select the best response.

What is the difference between an application and complete application packet?

- A. There is no difference.
- B. An application is the paper form used to initiate the application process, and a complete application packet is the application and all required documents as indicated.
- C. An application is the paper form and background check forms used to initiate the application process, and a complete application packet is the application and all required documents as indicated.

WAC 110-145-2400 License Renewal Requirements

The intent of WAC 110-145-2400, License renewal requirements, is to clarify the timeline requirements associated with submitting a license renewal application. This new WAC replaces WAC 110-145-1340. There were two changes made to this new WAC. The requirement to submit all documents through the licensing provider portal was removed. Additionally, the department initiated courtesy renewal notification language was removed and placed in DCYF procedure.

The licensee must submit a renewal application and all required background authorization forms to the group care licenser no less than 90 days before the current license expires.

To complete a renewal license, group care licensors will use the same checklist specific to the facility being licensed that was utilized during the initial licensing process. The renewal process will have the same licensing requirements for approval as those needed for the initial license.

WAC 110-145-2410 Department Access to Facilities

WAC 110-145-2410, Department access to facilities, replaces WAC 110-145-1350. The intent of this new WAC is to clarify the scope of department access to the licensed facility. Pay particular attention to the one significant change made to this WAC around department access to documents.

All licensed GC providers are required to grant the department access to the licensed premises, personnel, and children and youth in care at any time upon the department's request. Additionally, all licensed GC providers are required to allow the department to meet privately

on the licensed premises with personnel and children and youth in care at any time upon the department's request.

In accordance with new language added to WAC 110-145-2410 Licensees must allow the department to (1) Access the: (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.

Guiding Principles

This concludes the content portion of this course! Thank you for your participation!

Before this course ends, please take a moment to reflect on the Guiding Principles mentioned at the beginning of this course and start planning for how you will emphasize strength-based approach principles in your work.

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End of Course

This concludes this course on **Group Care Licensing Process and Department Access**.

We hope this course has been helpful in providing information about the licensing role and job expectations.

Our goal is that all LD professionals and group care personnel viewing this course have left with increased knowledge of the changes associated with **Group Care Licensing Process and Department Access**, as well as a general understanding of areas where strength-based approach principles should be emphasized.