

NEW SECTION

**WAC 110-148-1326 Can I get a license to care for a specific child, and what are the requirements?** (1) Pursuant to RCW 74.15.125(7), the department may issue a child-specific license to relatives or suitable persons, as defined in RCW 13.36.020, to provide foster care services to a specified child and that child's siblings or relatives in the department's care and authority.

(a) Such placement is at the discretion of the department.

(b) A licensee under this section may only receive placement of one or more specific children identified prior to the issuance of a license.

(2) The department must reassess licensees issued under this section if licensees want to:

(a) Add a child to their child specific license and that child was not identified prior to licensure; or

(b) Receive a general foster family home license.

(3) Reassessment under subsection (2) of this section may require licensees to give up their current child specific licenses, complete new or additional training, or submit new licensing applications as a condition of receiving new or different licenses.

(4) Licensees under this section must meet the licensing requirements detailed in RCW 74.15.030(2) and this chapter.

(5) A child-specific license does not grant licensees:

(a) The right to have a specific child placed in their care; or

(b) The right to be a party in any juvenile court proceeding under chapter 13.34 RCW.



# PROPOSED RULE MAKING

## CR-102 (December 2017) (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: April 20, 2022

TIME: 11:59 AM

WSR 22-09-087

**Agency:** Department of Children, Youth, and Families

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR 21-12-013 ; 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) WAC 110-14-1326 Can I get a license to care for a specific child, and what are the requirements?

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
May 24, 2022		telephonic	Oral comments may be made by calling (360) 902-8084 and leaving a voicemail that includes the comment and an email or physical mailing address where DCYF will send its response. Comments received through and including May 24, 2022 will be considered.

**Date of intended adoption:** May 25, 2022 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: DCYF Rules Coordinator

Address:

Email: [dcyf.rulescoordinator@dcyf.wa.gov](mailto:dcyf.rulescoordinator@dcyf.wa.gov)

Fax:

Other: <https://dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online>

By (date) May 24, 2022

**Assistance for persons with disabilities:**

Contact DCYF Rules Coordinator

Phone: (360) 902-7956

Fax:

TTY:

Email: [dcyf.rulescoordinator@dcyf.wa.gov](mailto:dcyf.rulescoordinator@dcyf.wa.gov)

Other:

By (date) May 20, 2022

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposed rule affirms the department's authority to issue child-specific foster family home licenses granted by RCW 74.15.125(7), and establishes the limitations of the license: namely, that licensing and child placement is at the discretion of the department, and placement is limited to children identified prior to the issuance of the license. The proposed rule also requires reassessment in cases where a child-specific license holder wants to receive placement of a child not identified prior to licensure or wants to receive a general foster family home license.

**Reasons supporting proposal:** The proposed rule is necessary to establish:

- criteria for a child-specific license so that licensees and potential applicants understand how it is different from a general foster family home license,
- the placement limitations of a child-specific license, and
- the steps a child-specific license holder must complete in order to be granted a general foster family home license.

**Statutory authority for adoption:** RCW 74.15.125(7)(b)

**Statute being implemented:** RCW 74.15.125

**Is rule necessary because of a:**

Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) Department of Children, Youth, and Families  Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Tyler Farmer		(360) 628-2151
Implementation:	DCYF	statewide	
Enforcement:	DCYF	statewide	

**Is a school district fiscal impact statement required under RCW 28A.305.135?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**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:  
TTY:  
Email:  
Other:

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 Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). 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)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- 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 RCW 19.85.025(4).

Explanation of exemptions, if necessary: The proposed rule impacts only foster family homes, none of which are small businesses as defined in RCW 19.85.020.

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If 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 analysis showing how costs were calculated. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

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

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** April 20, 2022

**Name:** Brenda Villarreal

**Title:** DCYF Rules Coordinator

**Signature:**