

FINAL BILL REPORT

ESSB 5599

Brief Description: Supporting youth and young adults seeking protected health care services.

Sponsors: Senate Committee on Human Services (originally sponsored by Senators Liias, Wilson, C., Dhingra, Lovelett, Nguyen and Randall).

Senate Committee on Human Services

House Committee on Human Services, Youth, & Early Learning

Background: Youth Shelters. If a licensed overnight shelter or licensed organization provides services to homeless or runaway youth and their families, shelters a youth and knows that the child is away from home without parental permission, it must contact the youth's parents within 72 hours, but preferably in 24 hours. If there are compelling reasons to not notify the parents, the shelter or organization is to contact the Department of Children, Youth and Families (DCYF) instead. Compelling reasons include, but are not limited to circumstances that indicate notifying the parent or legal guardian will subject the minor to abuse or neglect.

Host Homes. A host home program operated by a tax exempt organization for youth not in the care of or receiving services from DCYF does the following:

- recruits and screens potential homes in the program, including performing background checks on individuals over the age of 18 residing in the home, through the Washington State Patrol or equivalent law enforcement agency, and performs physical inspections of the home;
- obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth, authorizing the youth to participate in the program, and the authorization is updated every six months;
- obtains insurance for the program through an authorized insurance provider;
- provides mandatory reporter and confidentiality training; and
- registers with the Secretary of State.

Host home means a private home that volunteers to host youth in need of temporary placement that is associated with a host home program.

Office of Homeless Youth Prevention and Protection. Created in 2015, the Office of

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Homeless Youth Prevention and Protection leads statewide efforts to reduce and prevent homelessness for youth and young adults through priority service areas to ensure youth and young adults have stable housing, family reconciliation, permanent connections, education and employment, and social and emotional well-being.

Summary: If a licensed youth shelter or homeless youth program knows a youth is away from home with permission, that shelter or program has a duty to contact the parents or guardians unless a compelling reason exists. Compelling reasons include when a minor is seeking or receiving protected health care services. Mandated reports have a duty to report child abuse and neglect. After receiving a report from an overnight youth shelter or other licensed organization that provides services to homeless youth that a minor child who is seeking or receiving gender-affirming treatment or reproductive health care services is being served by the shelter or organization without parental permission, DCYF must:

- offer to make referrals on behalf of the minor for appropriate behavioral health services; and
- offer services designed to resolve the conflict and accomplish a reunification of the family.

Host homes do not need parent or legal guardian authorization if there is a compelling reason not to contact the parent or guardian. Compelling reason means that youth is in the host home or seeking placement in a host home while seeking or receiving protected health care services. Host home programs that serve youth without parental authorization seeking or receiving protected health care services must:

- report to DCYF within 72 hours of the youth's participation in the program and following this report, DCYF must make a good faith attempt to notify the parent of this report and offer services designed to resolve the conflict and accomplish a reunification of the family;
- report to DCYF of the youth's participation in the host home program at least once every month when the youth remains in the host home longer than one month; and
- provide case management outside of the host home and away from any individuals residing in the home at least once per month.

The Office of Homeless Youth is to contract with an outside entity to gather data regarding the number of unsheltered homeless youth under age 18 in the state and develop recommendations for supporting these youth, and submit the information and recommendations to the Legislature by July 1, 2024.

Protected health care services means gender affirming treatment and reproductive health care services as defined in statute. Gendering affirming treatment means a service or product that a health care provider, prescribes to an individual to support and affirm the individual's gender identity. Gender affirming treatment includes, but is not limited to, treatment for gender dysphoria. Gender affirming treatment can be prescribed to two-spirit, transgender, nonbinary, and other gender diverse individuals. "Reproductive health care services" means any medical services or treatments, including pharmaceutical and

preventive care service or treatments, directly involved in the reproductive system and its processes, functions, and organs involved in reproduction, in all stages of life. Reproductive health care services does not include infertility treatment.

Votes on Final Passage:

Senate 27 19

House 57 39 (House amended)

Senate 29 20 (Senate concurred)

Effective: Ninety days after adjournment of session in which bill is passed.