

SENATE BILL REPORT

SHB 2588

As Reported By Senate Committee On:
Human Services & Corrections, February 26, 1998

Title: An act relating to controlled substances as a risk factor in determining negligent treatment or maltreatment of a child.

Brief Description: Regarding controlled substances as a risk factor in determining negligent treatment of a child.

Sponsors: House Committee on Children & Family Services (originally sponsored by Representatives Boldt, Mielke, Mulliken, Carrell, Lambert and Clements).

Brief History:

Committee Activity: Human Services & Corrections: 2/18/98, 2/26/98 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

Staff: Joan K. Mell (786-7447)

Background: In child custody or dependency cases, placement decisions can be based upon parental misconduct, such as negligent treatment or maltreatment. Statutes define negligent treatment or maltreatment to mean an act or omission evidencing a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety. Substance abuse by a parent does not, in and of itself, constitute negligent treatment or maltreatment. Substance abuse may or may not be considered by a court considering negligent treatment or maltreatment.

Summary of Amended Bill: The statute that requires the Department of Social and Health Services to use a risk assessment process when investigating child abuse and neglect cases is amended requiring substance abuse be a risk factor. The department in its annual quality assurance report to the Legislature must provide data concerning drug and alcohol abuse and neglect cases.

Amended Bill Compared to Substitute Bill: No change is made to the definition of neglect treatment or maltreatment. The reporting requirements are added.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The department should be offering treatment services in cases where the parent has a substance abuse problem. Substance abuse should be a basis for abuse or neglect. Substance abuse is a part of the department's risk factor assessment.

Testimony Against: None.

Testified: PRO: Jennifer Strus, DSHS; Helen Myrick, Betty Beer, Greater Pierce County Community Network.