

FINAL BILL REPORT

SSB 5565

C 162 L 13

Synopsis as Enacted

Brief Description: Concerning background checks for individuals seeking a license under chapter 74.13 RCW or unsupervised access to children.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Keiser, Harper, Nelson, Kohl-Welles, McAuliffe and Kline).

Senate Committee on Human Services & Corrections

House Committee on Early Learning & Human Services

House Committee on Appropriations Subcommittee on Health & Human Services

Background: The Department of Social and Health Services (DSHS) conducts criminal history background checks and checks for child abuse or neglect history for persons who apply for state employment; for a license to be a foster parent; and for persons employed by a business or organization licensed by DSHS, or with whom DSHS has a contract to provide care, supervision, case management, or treatment for children in care.

Summary: DSHS must not deny or delay an application for employment or unsupervised access to children to an individual based solely on a crime or civil infraction revealed in the background process that is not on the Secretary of DSHS's list of negative actions and not directly related to child safety, permanence, and well-being. If DSHS determines that the requisite character, suitability, and competence is not present, DSHS must provide reasons in writing to the person with copies of records or documents related to this decision within ten days of the determination. DSHS and its officers, agents, and employees may not be held civilly liable for its employment or licensure decision if the background information relied upon does not indicate that child safety would be a concern.

A nonprofit with expertise in veteran parent programs must convene a workgroup to consider options, including a certificate of rehabilitation, to address the impact of founded complaints on the ability of rehabilitated individuals to gain employment or care for children. The workgroup must report its recommendations to the Legislature by December 31, 2013. A list of required workgroup participants is provided.

DSHS must charge a fee to process requests from a person in another state for a person's child abuse or neglect history. All proceeds from the fee must go directly to aiding the cost associated with DSHS background checks. A definition is provided for the word unsupervised.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

When placing a child before a shelter care hearing with a relative or other suitable person, the fingerprint-based background check need not be completed before placement, but as soon as possible after placement, if the person appears otherwise suitable and competent to provide care and treatment.

Votes on Final Passage:

Senate	48	0	
House	96	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 28, 2013
December 1, 2013 (Section 5)