

HOUSE BILL REPORT

SHB 1054

As Amended by the Senate

Title: An act relating to reports of abuse of children or adult dependent or developmentally disabled persons.

Brief Description: Revising provisions for reports of abuse of children or adult dependent or developmentally disabled persons.

Sponsor(s): By House Committee on Human Services (originally sponsored by Representatives Leonard, Winsley, Riley, Orr, R. King and Sheldon; by request of Dept. of Social and Health Services).

Brief History:

Reported by House Committee on:
Human Services, March 6, 1991, DPS;
Passed House, March 20, 1991, 98-0;
Amended by Senate.

**HOUSE COMMITTEE ON
HUMAN SERVICES**

Majority Report: *That Substitute House Bill No. 1054 be substituted therefor, and the substitute bill do pass.*
Signed by 10 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Staff: Dawn Jones (786-7077).

Background: There is confusion concerning the duty of any practitioner, professional school personnel, or any other professional in social services or other related fields, to report the incidence of abuse on a legally competent adult when the abuse occurred before the adult turned 18 years of age.

During the 1987 session, RCW 26.44.070, which establishes a central registry of child abuse, or abuse of an adult dependent, or developmentally disabled person, was amended twice. It was also repealed, but the repeal did not include the amendments. RCW 26.44.070, still remains in the state statute but its meaning is far from clear. The Division of

Family and Youth Services has not used the Central Registry of Child Abuse and Neglect since January, 1988.

Summary of Bill: Section 1: Mandatory abuse reporting requirements apply only to instances related to persons who are currently children, developmentally disabled, or adult dependents.

Section 2: RCW 26.44.070 is fully repealed and thus eradicates the central registry.

EFFECT OF SENATE AMENDMENT(S): It is clarified that a report of abuse or neglect will include the identity of the accused, if known. The reporting requirement is modified to include reporting in situations where other vulnerable individuals are being abused or neglected or are at risk of abuse or neglect.

Fiscal Note: Available.

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

Testimony For: The bill helps the Department of Social and Health Services to address two things:

First, the section of the RCW that establishes the central registry for reporting child abuse cases was not repealed in 1987 as intended. The department no longer uses the registry. It now uses the Washington State Patrol Information System.

Secondly, it addresses the confusion concerning whether or not a counselor is obligated to report incidences of child abuse to the department or law enforcement agency when the victim is an adult at the time of discovery. Neither the department nor law enforcement agency is empowered to do anything with these reports. In addition, it may possibly have the effect of driving a patient out of therapy, in a case where the patient does not want the police or department to have this information.

Testimony Against: None.

Witnesses: Lonnie Johns-Brown, National Association of Social Workers; and Richard Winters, Department of Social and Health Services.

VOTE ON FINAL PASSAGE:

Yeas 98