

HOUSE BILL REPORT

ESHB 1287

As Passed Legislature

Title: An act relating to adoption.

Brief Description: Revising provisions for adoption.

Sponsor(s): By House Committee on Human Services (originally sponsored by Representatives Heavey, Moyer, Franklin, Rayburn, Jones, May, Leonard, Tate, Hine, Ballard, Broback, Winsley, Wineberry, Anderson, Brekke, Miller, Riley, Kremen, Forner and Paris).

Brief History:

Reported by House Committee on:
Human Services, February 14, 1991, DPS;
Passed House, March 11, 1991, 90-0;
Amended by Senate;
House concurred;
Passed Legislature, 93-1.

**HOUSE COMMITTEE ON
HUMAN SERVICES**

Majority Report: *That Substitute House Bill No. 1287 be substituted therefor, and the substitute bill do pass.*
Signed by 11 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Staff: David Knutson (786-7146).

Background: During the 1990 legislative session, Engrossed Substitute Senate Concurrent Resolution 8429 was adopted. It created the Washington State Adoption Commission and charged it to recommend minimum standards of practice for adoptions in Washington. The commission reviewed 11 issues relating to adoptions including; training for adoptive parents and training on cultural relevancy, the education and qualifications of adoption workers, verification of pre-birth consents, independent counsel for relinquishing parents and adopted children, forms used for mandated health information, disclosure statements regarding fees and services, standardized court rules for adoptions, state implementation of the Indian Child Welfare Act, birth father

registries, medical insurance for adoptions, family leave as it relates to adoption and advertising for adoptions.

Summary of Bill: Consent forms will contain a statement stating whether the child to be adopted is Native American or an Alaska native. Adoption facilitators will submit sworn statements documenting how they determined whether the federal Indian Child Welfare applies in each adoption. Birth parents and alleged fathers who sign consent to adoption forms must be witnessed by a person who is at least 18 years of age and selected by the parent or alleged father. Persons preparing adoption preplacement reports must include a statement of the training or experience they have which enables them to discuss relevant adoption issues. The preplacement report must verify that adoptive parents were told of: the lifelong commitment of adoption; the adopted child's potential feelings of identity confusion and loss; ways to disclose the fact of adoption to children; possible questions from the child about birth parents and relatives; and the relevance of the child's racial, ethnic, and cultural heritage. The adopted child's medical history will be provided to adoptive parents on a standardized form developed by the Department of Social and Health Services after July 1, 1992. Adoptive parents will receive information from adoption facilitators on finding and evaluating adoption therapists. If requested, written information on adoption procedures, practices, policies, fees, and services must be provided by the adoption facilitator.

Illegally advertising children for adoption is changed from a misdemeanor to a violation of the Consumer Protection Act (Chapter 19.86 RCW).

Fiscal Note: Requested February 1, 1991.

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

Testimony For: The standards of practice for adoption vary depending on whether it is an independent or agency adoption. Adoptive parents, birth parents and adoptive children will all benefit from consistent standards and practices, for both agency and independent adoptions. The Washington State Adoption Commission held many public meetings on the issue of standards of practice for adoption and developed a good proposal for consistent standards and practices.

Testimony Against: None.

Witnesses: Representative Heavey, Chair, Washington State Adoption Commission; Laurie Lippold and Michele Hinz, Washington State Adoption Commission members; Colleen Waterhouse and Pat Weber, Department of Social and Health Services; and Steve Gustaveson, Attorney General's Office.