

SENATE BILL REPORT

SB 6334

AS REPORTED BY COMMITTEE ON WAYS & MEANS, FEBRUARY 11, 1992

Brief Description: Modifying procedures for residential and treatment services for children.

SPONSORS: Senator Talmadge

SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: That Substitute Senate Bill No. 6334 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chairman; L. Smith, Vice Chairman; Craswell, Stratton, and Talmadge.

Staff: Joanne Conrad (786-7472)

Hearing Dates: February 3, 1992; February 7, 1992

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 6334 be substituted therefor, and the second substitute bill do pass.

Signed by Senators McDonald, Chairman; Craswell, Vice Chairman; Amondson, Bailey, Bluechel, Cantu, M. Kreidler, Rinehart, L. Smith, Talmadge, West, Williams, and Wojahn.

Staff: Mary Poole (786-7715)

Hearing Dates: February 11, 1992

BACKGROUND:

Determination of appropriate out-of-home care for children has grown in complexity in recent years, along with increased demand for placement of seriously troubled children. Decline in available group home beds has coincided with an increase in child abuse and neglect, and in alcohol and substance abuse-related problems. These factors, combined with financial and societal stresses, have made the provision of quality foster care more problematic than in the past.

One concern is that many children may be inadequately assessed and inappropriately placed for residence and treatment. Part of the criticism is that diagnosis and treatment is fragmented and insufficiently based upon a holistic, consistent, and multidisciplinary evaluation of the child.

Other concerns arising from experiences in the foster care/relative care provider community are that use of the DSHS complaint resolution process can result in actions by the department that appear retaliatory, including alleged

instances of inappropriate, sudden, traumatic changes in foster home placement.

SUMMARY:

The Department of Social and Health Services is required to develop a comprehensive, multi-disciplinary diagnostic/assessment tool, to be utilized in conducting assessments of children for determining appropriate levels of residential and treatment services. DSHS will report assessment results, and recommendations for fund allocation, to the Legislature.

Individuals who avail themselves of the department's complaint resolution process and are subjected to retaliation can seek judicial review in superior court.

Under specified circumstances, the department or child-placing agency must provide written notification to foster or relative home care providers of reasons for removal of a child to a new placement, as well as written notice of the right to request a review of the removal decision of certain children, under limited, specified circumstances.

EFFECT OF PROPOSED SUBSTITUTE:

Inclusion of "relative care providers" is clarified, existing statutory language is reinstated, and utilization of DSHS's complaint resolution process is specified.

EFFECT OF PROPOSED SECOND SUBSTITUTE:

The requirement that the department conduct an assessment of children's placement services is stricken.

Appropriation: none

Revenue: none

Fiscal Note: requested January 27, 1992

TESTIMONY FOR (Children & Family Services):

This bill is needed to protect foster families from sudden unexplained changes in foster placements.

TESTIMONY AGAINST (Children & Family Services):

The bill is inappropriate and costly to use courts for dispute resolution.

TESTIFIED (Children & Family Services): Darlene Flowers, Foster Parent Association of Washington State (pro); Dawn English, Foster Parent

TESTIMONY FOR (Ways & Means):

The assessment is necessary and desirable. Oral notification is preferable to written notice that a child's foster care placement be changed. The department's complaint resolution process is adequate.

TESTIMONY AGAINST (Ways & Means):

Court redress is not necessary. Oral notification is preferable to written notice. The assessment may duplicate assessments required by other legislation before the committee.

TESTIFIED (Ways & Means): Laurie Luppold, Foster Parent Association of Washington (pro); Diana Roberts, DSHS (con)