
SENATE BILL 6217

State of Washington

52nd Legislature

1992 Regular Session

By Senator Roach

Read first time 01/22/92. Referred to Committee on Children & Family Services.

1 AN ACT Relating to chemical dependency; and adding new sections to
2 chapter 70.96A RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.96A RCW
5 to read as follows:

6 The department shall ensure that the provisions of this chapter are
7 applied by the counties in a consistent and uniform manner. The
8 department shall also ensure that the county-designated chemical
9 dependency specialists are specifically trained in adolescent chemical
10 dependency issues, the chemical dependency commitment laws, and the
11 criteria for commitment.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.96A RCW
13 to read as follows:

1 Whenever a county-designated chemical dependency specialist makes
2 a determination under RCW 70.96A.140 that a minor does not meet the
3 criteria for a commitment to a chemical dependency program, the county-
4 designated chemical dependency specialist shall:

5 (1) Provide written notice to the minor's parent of the parent's
6 right to file petitions and obtain services available under chapter
7 13.32A RCW;

8 (2) Provide written notice to the minor's parent of the parent's
9 right to file a petition, as provided in section 3 of this act, to seek
10 a review of the decision not to commit the minor to a chemical
11 dependency program;

12 (3) Provide a written evaluation to the minor's parent detailing
13 the county-designated chemical dependency specialist's reasons for not
14 committing the minor in a chemical dependency program. The evaluation
15 shall include the specific facts investigated, the credibility of the
16 person or persons providing the information, and the criteria for a
17 commitment to a chemical dependency treatment program; and

18 (4) Refer the minor and the parents to other available services.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.96A RCW
20 to read as follows:

21 (1) Whenever a county-designated chemical dependency specialist
22 makes a determination under RCW 70.96A.140 that a minor does not meet
23 the criteria for a commitment to a chemical dependency treatment
24 program, the minor's parent may file a petition in the superior court
25 seeking a review of the county-designated chemical dependency
26 specialist's decision not to commit the minor.

27 (2) The following documents shall be filed with the petition:

28 (a) An affidavit of the parent which states the reasons why the
29 parent disagrees with the evaluation conducted by the county-designated

1 chemical dependency specialist and includes the specific facts alleged
2 that indicate the need for the minor's commitment;

3 (b) Any other relevant affidavits signed by persons with knowledge
4 of the specific facts alleged that indicate the need for the minor's
5 commitment in a chemical dependency treatment program; and

6 (c) The county-designated chemical dependency specialist's written
7 evaluation provided under section 2(3) of this act.

8 (3) If after reviewing the petition, affidavits, and supporting
9 documentation, the court finds by a preponderance of the evidence that
10 the minor meets the criteria for commitment as set forth in RCW
11 70.96A.140(1), the court shall fix a date for a hearing as provided in
12 RCW 70.96A.140(2). The petition and order for a hearing shall be
13 served on the minor and on the county-designated chemical dependency
14 specialist who wrote the evaluation that was filed with the court.

15 (4) All other provisions contained in this chapter relating to the
16 hearing and commitment shall apply.