

SENATE BILL REPORT

ESSB 6110

AS PASSED SENATE, FEBRUARY 12, 1994

Brief Description: Providing a family health history for children upon the dissolution of a marriage.

SPONSORS: Senate Committee on Law & Justice (originally sponsored by Senators Spanel, A. Smith, Hargrove and Winsley)

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6110 be substituted therefor, and the substitute bill do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Niemi, Quigley, Roach, Schow and Spanel.

Staff: Lidia Mori (786-7755)

Hearing Dates: January 25, 1994; January 28, 1994

BACKGROUND:

In a dissolution action, a legal separation proceeding, or a proceeding to obtain a declaration of invalidity, the court is not required to instruct the parents to provide a family medical history. The same is true in an action to determine the existence of a parent and child relationship.

Knowledge of a child's medical history can facilitate the provision of health care for the child as well as influence preventative care. Concern has been expressed this is sometimes overlooked by the court or the parties.

SUMMARY:

In a dissolution of marriage proceeding, legal separation, declaration of invalidity or paternity proceeding, the court must require each parent to submit a written statement describing any medical attribute, diagnosis, or disease that is generally accepted to be medically linked to the health of the child. The statement pertains to the parent's immediate family. Immediate family is defined to include parents, siblings, grandparents, aunts, uncles and first cousins. The court will provide each parent with a list of medical attributes, diagnoses and diseases that is prepared and updated by the Department of Health.

A party may seek to modify a decree at any time to require a parent to provide a statement describing any medical attribute, diagnosis or disease that is generally accepted to be medically linked to the health of the child.

The family medical history information will be sealed and only the parent, guardian of the minor child or the child after reaching the age of 18 may have access to the records.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Families need this medical information. This bill will help in situations where one parent refuses to provide medical history.

TESTIMONY AGAINST: None

TESTIFIED: Michele Delo, WA Families for Noncustodial Rights; C. Malec