

2 EHB 1173 - S COMM AMD

3 By Committee on Human Services & Corrections

4 ADOPTED 4/13/95

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 74.13.118 and 1985 c 7 s 138 are each amended to read  
8 as follows:

9 At least ~~((annually))~~ once every five years, the secretary shall  
10 review the need of any adoptive parent or parents receiving continuing  
11 support pursuant to RCW 26.33.320 and 74.13.100 through 74.13.145, or  
12 the need of any parent who is to receive more than one lump sum payment  
13 where such payments are to be spaced more than one year apart. ~~((Such  
14 review shall be made not later than the anniversary date of the  
15 adoption support agreement.))~~

16 At the time of such ~~((annual))~~ review and at other times ~~((during  
17 the year))~~ when changed conditions, including variations in medical  
18 opinions, prognosis and costs, are deemed by the secretary to warrant  
19 such action, appropriate adjustments in payments shall be made based  
20 upon changes in the needs of the child, in the adoptive parents'  
21 income, resources, and expenses for the care of such child or other  
22 members of the family, including medical and/or hospitalization expense  
23 not otherwise covered by or subject to reimbursement from insurance or  
24 other sources of financial assistance.

25 Any parent who is a party to such an agreement may at any time in  
26 writing request, for reasons set forth in such request, a review of the  
27 amount of any payment or the level of continuing payments. Such review  
28 shall be begun not later than thirty days from the receipt of such  
29 request. Any adjustment may be made retroactive to the date such  
30 request was received by the secretary. If such request is not acted on  
31 within thirty days after it has been received by the secretary, such  
32 parent may invoke his rights under the hearing provisions set forth in  
33 RCW 74.13.127.

34 **Sec. 2.** RCW 74.13.121 and 1985 c 7 s 139 are each amended to read  
35 as follows:

1       So long as any adoptive parent is receiving support pursuant to RCW  
2 26.33.320 and 74.13.100 through 74.13.145 he or she shall, (~~not later~~  
3 ~~than two weeks after it is filed with the United States government~~)  
4 upon request, file with the secretary a copy of his or her federal  
5 income tax return. Such return and any information thereon shall be  
6 marked by the secretary "confidential", shall be used by the secretary  
7 solely for the purposes of RCW 26.33.320 and 74.13.100 through  
8 74.13.145, and shall not be revealed to any other person, institution  
9 or agency, public or private, including agencies of the United States  
10 government, other than a superior court, judge or commissioner before  
11 whom a petition for adoption of a child being supported or to be  
12 supported pursuant to RCW 26.33.320 and 74.13.100 through 74.13.145 is  
13 then pending.

14       In carrying on the review process authorized by RCW 26.33.320 and  
15 74.13.100 through 74.13.145 the secretary may require the adoptive  
16 parent or parents to disclose such additional financial information,  
17 not privileged, as may enable him or her to make determinations and  
18 adjustments in support to the end that the purposes and policies of  
19 this state expressed in RCW 74.13.100 may be carried out, provided that  
20 no adoptive parent or parents shall be obliged, by virtue of this  
21 section, to sign any agreement or other writing waiving any  
22 constitutional right or privilege nor to admit to his or her home any  
23 agent, employee, or official of any department of this state, or of the  
24 United States government.

25       Such information shall be marked "confidential" by the secretary,  
26 shall be used by him or her solely for the purposes of RCW 26.33.320  
27 and 74.13.100 through 74.13.145, and shall not be revealed to any other  
28 person, institution, or agency, public or private, including agencies  
29 of the United States government other than a superior court judge or  
30 commission before whom a petition for adoption of a child being  
31 supported or to be supported pursuant to RCW 26.33.320 and 74.13.100  
32 through 74.13.145 is then pending.

33       NEW SECTION.     **Sec. 3.**     The legislature recognizes that some  
34 prospective adoptive parents may not have finalized the adoption of a  
35 foster child in their care because the adoption support program as it  
36 is presently structured may offer special children with complex needs  
37 fewer necessary services than the foster care program provides them  
38 through exceptional cost plans. Enhancement of the adoption support

1 program could increase the likelihood that such special needs children  
2 could be adopted.

3 The department of social and health services is directed to conduct  
4 a study to determine the costs, program impact, and appropriateness of  
5 extending exceptional cost rate foster care plans for special needs  
6 children to the adoption support program. The department of social and  
7 health services shall complete the study and report its findings to the  
8 legislature no later than September 1, 1995."

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12 On page 1, line 1 of the title, after "support;" strike the  
13 remainder of the title and insert "amending RCW 74.13.118 and  
14 74.13.121; and creating a new section."

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