

2 **E2SHB 3008** - S COMM AMD

3 By Committee on Human Services & Corrections

4

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

7 NEW SECTION. **Sec. 1.** The legislature finds that all children  
8 have the right to be born healthy and free of the consequences of the  
9 nonprescription use of controlled substances or alcohol abuse by the  
10 mother during pregnancy. Individuals who have a drug or alcohol  
11 addiction are unable to make reasoned decisions that help ensure the  
12 birth of a healthy infant. The availability of long-term  
13 pharmaceutical birth control, when combined with other treatment  
14 regimens, may allow women to regain control of their lives and make  
15 long-term decisions in the best interest of themselves and their  
16 children. The legislature further finds that a third or subsequent  
17 drug-affected infant being born to the same mother means it may be  
18 unreasonable to attempt to continue efforts to reunify the family and  
19 that all reasonable reunification efforts that have previously been  
20 made have proven futile and there is no likelihood that future efforts  
21 will produce a different outcome.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34 RCW  
23 to read as follows:

24 (1) A physician licensed under chapter 18.71 RCW primarily  
25 responsible for the supervision of the birth of an infant who has  
26 reasonable cause to believe an infant has been exposed to  
27 nonprescription use of controlled substances or alcohol shall conduct  
28 appropriate tests to determine whether the infant is drug-affected,  
29 and, if the test is positive, notify the department of the name and  
30 address of the parents of an infant who is drug-affected. If a  
31 physician suspects that an infant is drug-affected from alcohol abuse,  
32 but has no available test to establish that the child is drug-affected,  
33 the physician need only notify the department.

34 (2) The physician shall, as soon as practical, inform the mother of  
35 a drug-affected infant of: (a) Her right to publicly funded tubal

1 ligation surgery as provided under section 12 of this act; (b)  
2 available drug treatment and counseling; and (c) birth control  
3 counseling and education. The mother may accept the offer of a tubal  
4 ligation up to six months following its tender.

5 (3) A physician who makes any determination under this section  
6 shall not be liable in any cause of action as a result of his or her  
7 determination except for acts of gross negligence or intentional  
8 misconduct.

9 (4) This section expires June 30, 2002.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.34 RCW  
11 to read as follows:

12 (1) The department, upon receipt of a report under section 2 of  
13 this act, shall investigate and, in appropriate cases, file a  
14 dependency petition. If testing has established that an infant is  
15 drug-affected, the department shall seek a court order under RCW  
16 13.34.050 to take the drug-affected infant into custody. Testing  
17 establishing an infant is drug-affected is evidence that meets the  
18 standard for issuance of an order under RCW 13.34.050. The department  
19 shall have the drug-affected infant remain in the birthing facility for  
20 medical treatment or have the infant placed into an appropriate  
21 pediatric interim care program for sufficient time for the infant to  
22 undergo withdrawal from the effects of the drug. The withdrawal must  
23 be under the supervision of appropriate medical professionals. If the  
24 department receives a report that an infant is believed to be drug-  
25 affected from alcohol abuse, the department must determine the risks to  
26 the child. If the department is unable to determine by testing that  
27 the child is drug-affected from alcohol abuse, the department may seek  
28 a court order under RCW 13.34.050 only if there is other evidence of  
29 abuse or neglect. In the event the department does not file a  
30 petition, it shall refer the mother to available chemical dependency  
31 treatment programs or a pilot project.

32 (2) The department and the mother may enter an agreement in which  
33 the mother agrees to chemical dependency treatment on an inpatient or  
34 outpatient basis or be referred to a pilot project created under  
35 section 9 of this act.

36 (3) If the department and mother enter an agreement under  
37 subsection (2) of this section, the department shall, if a dependency  
38 petition has been filed, request the court to defer the entry of an

1 order of dependency for as long as the mother remains in treatment or  
2 enrolled in the pilot project, subject to the department's monitoring  
3 for compliance. As a condition of deferral of the order of dependency,  
4 the parents, if both are available and known, shall stipulate to facts  
5 sufficient to constitute a dependency and the court shall order  
6 treatment or enrollment in a pilot project and prohibit nonprescription  
7 use of controlled substances or alcohol abuse. In the event that an  
8 available parent unreasonably refuses to stipulate to facts  
9 constituting a dependency, the court may proceed with the hearing on  
10 the petition.

11 (4) This section expires June 30, 2002.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 13.34 RCW  
13 to read as follows:

14 (1) If the department receives a report under section 2 of this act  
15 of a mother who has given birth to a second drug-affected infant, the  
16 department:

17 (a) May request the court to proceed immediately with the entry of  
18 a dependency for the first drug-affected infant; and

19 (b) Shall investigate and, unless there are compelling reasons to  
20 the contrary, file a dependency petition on the second drug-affected  
21 infant. If the department does not file a petition, it shall refer the  
22 woman to available chemical dependency treatment programs or a pilot  
23 project.

24 (2) The department and the mother may enter an agreement in which  
25 the mother agrees to: (a) Enter chemical dependency inpatient  
26 treatment or a pilot project, together with an aftercare program that  
27 includes participation in a pilot project when feasible; and (b)  
28 medically appropriate pharmaceutical pregnancy prevention, such as  
29 Norplant or depo-provera, that is administered not less than once every  
30 thirty days. The selection of the pregnancy prevention method shall be  
31 based on an evaluation of the medical and physical consequences to the  
32 mother and shall remain in effect until the dependency petition is  
33 dismissed or the court determines it is no longer medically  
34 appropriate.

35 (3) If the department and the mother enter an agreement under  
36 subsection (2) of this section, the department shall request the court  
37 to defer the entry of an order of dependency on the second drug-  
38 affected infant for as long as the mother remains in treatment or

1 enrolled in the pilot project, subject to the department's monitoring  
2 for compliance. As a condition of deferral of the order of dependency,  
3 the parents, if both are available and known, shall stipulate to facts  
4 sufficient to constitute a dependency and the court shall order  
5 treatment or enrollment in a pilot project and prohibit nonprescription  
6 use of controlled substances or alcohol abuse. In the event that an  
7 available parent unreasonably refuses to stipulate to facts  
8 constituting a dependency, the court may proceed with the hearing on  
9 the petition.

10 (4) This section expires June 30, 2002.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 13.34 RCW  
12 to read as follows:

13 (1) The department may request the court to dismiss the petition  
14 deferred under section 3 or 4 of this act at any time. No petition may  
15 be vacated or dismissed unless the mother demonstrates by clear and  
16 convincing evidence that she has not used controlled substances in a  
17 nonprescription manner or has not abused alcohol for at least twelve  
18 consecutive months and can safely provide for the child's welfare  
19 without continuing supervision by the department or court.

20 (2) This section expires June 30, 2002.

21 NEW SECTION. **Sec. 6.** A new section is added to chapter 13.34 RCW  
22 to read as follows:

23 (1) If the department receives a report under section 2 of this act  
24 of a mother who has given birth to a third or subsequent drug-affected  
25 infant, the department shall:

26 (a) Request the court to proceed immediately with the entry of a  
27 finding of dependency on all drug-affected children born before the  
28 third or subsequent birth unless an order of dependency has been  
29 vacated or dismissed; and

30 (b) File a dependency petition on any drug-affected infant subject  
31 to this section as well as any other child born before the third or  
32 subsequent birth of a drug-affected infant.

33 (2) This section expires June 30, 2002.

34 NEW SECTION. **Sec. 7.** A new section is added to chapter 13.34 RCW  
35 to read as follows:

36 (1) Following a filing of a petition under section 6 of this act:

1 (a) The court shall order evaluation by a designated chemical  
2 dependency specialist, as defined in RCW 70.96A.020 who shall undertake  
3 the processes described in RCW 70.96A.140.

4 (b) If the court has ordered removal of a child or children, the  
5 out-of-home placement order shall remain in effect until the petition  
6 is dismissed or the mother has successfully completed inpatient  
7 treatment and any aftercare program for controlled substances or  
8 alcohol ordered by the court.

9 (2) This section expires June 30, 2002.

10 NEW SECTION. **Sec. 8.** By July 1, 1999, the department of social  
11 and health services, in consultation with the department of health,  
12 shall adopt rules to implement this act, including a definition of  
13 "drug-affected infant," which shall be limited to infants who are  
14 affected by a mother's nonprescription use of controlled substances or  
15 alcohol abuse.

16 NEW SECTION. **Sec. 9.** To the extent funds are appropriated, the  
17 department shall operate a pilot project to provide services to women  
18 who give birth to infants exposed to the nonprescription use of  
19 controlled substances or alcohol abuse by the mother during pregnancy.  
20 Within available funds, the project may be offered in each of the  
21 department's administrative regions. The project shall accept women  
22 referred to it by the department following the birth of a drug-affected  
23 infant. The pilot project shall be concluded by July 1, 2001.

24 NEW SECTION. **Sec. 10.** To the extent funds are appropriated, the  
25 institute for public policy shall study the cost-effectiveness of this  
26 act and report to the governor and legislature not later than September  
27 1, 2002. The study shall measure the reduction in the birth rate of  
28 drug-affected infants among women and shall compare the reduction with  
29 the rate of birth of drug-affected infants born to women referred to  
30 chemical dependency treatment programs. The study shall identify the  
31 factors that promote or discourage the ability of women to avoid giving  
32 birth to drug-affected infants.

33 NEW SECTION. **Sec. 11.** A new section is added to chapter 70.96A  
34 RCW to read as follows:

1 (1) Any treatment program or pilot project in which a mother is  
2 enrolled under sections 3 through 5 of this act shall provide family  
3 planning, education, counseling, information, and services other than  
4 pregnancy termination.

5 (2) This section expires June 30, 2002.

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

8 The department may make available, or cause to be made available,  
9 pharmaceutical birth control services, information, and counseling to  
10 any person who enters chemical dependency treatment under section 3 or  
11 4 of this act. Within available funds, the department may pay for any  
12 tubal ligations requested under section 2 of this act if the mother's  
13 income is less than two hundred percent of the federal poverty level.  
14 The department shall report by December 1st of each year to the  
15 governor and legislature: (1) The number of tubal ligations performed  
16 as a result of chapter . . . , Laws of 1998 (this act); (2) the number  
17 of women who decline to undergo the surgery; (3) the number of women  
18 who obtain pharmaceutical birth control, by type of birth control; and  
19 (4) the number of women who are reported to the department.

20 NEW SECTION. **Sec. 13.** A new section is added to chapter 18.71 RCW  
21 to read as follows:

22 (1) Nothing in section 2 of this act imposes any additional duties  
23 or responsibilities on, or remove any duties or responsibilities from,  
24 a physician licensed under this chapter, except as specifically  
25 included in chapter 13.34 RCW and sections 11 and 12 of this act.

26 (2) This section expires June 30, 2002.

27 NEW SECTION. **Sec. 14.** Sections 1 through 7 and 9 through 11 of  
28 this act take effect July 1, 1999.

29 **Sec. 15.** RCW 13.34.070 and 1993 c 358 s 1 are each amended to read  
30 as follows:

31 (1) Upon the filing of the petition, the clerk of the court shall  
32 issue a summons, one directed to the child, if the child is twelve or  
33 more years of age, and another to the parents, guardian, or custodian,  
34 and such other persons as appear to the court to be proper or necessary  
35 parties to the proceedings, requiring them to appear personally before

1 the court at the time fixed to hear the petition. If the child is  
2 developmentally disabled and not living at home, the notice shall be  
3 given to the child's custodian as well as to the child's parent. The  
4 developmentally disabled child shall not be required to appear unless  
5 requested by the court. Where the custodian is summoned, the parent or  
6 guardian or both shall also be served with a summons. The fact-finding  
7 hearing on the petition shall be held no later than seventy-five days  
8 after the filing of the petition, unless exceptional reasons for a  
9 continuance are found. In drug-affected infant cases, exceptional  
10 reasons for a continuance exist if the mother and the department have  
11 agreed to conditions that will take more than seventy-five days to  
12 fulfill. The party requesting the continuance shall have the burden of  
13 proving by a preponderance of the evidence that exceptional  
14 circumstances do exist. To ensure that the hearing on the petition  
15 occurs within the seventy-five day time limit, the court shall schedule  
16 and hear the matter on an expedited basis.

17 (2) A copy of the petition shall be attached to each summons.

18 (3) The summons shall advise the parties of the right to counsel.  
19 The summons shall also inform the child's parent, guardian, or legal  
20 custodian of his or (~~her~~) her right to appointed counsel, if  
21 indigent, and of the procedure to use to secure appointed counsel.

22 (4) The summons shall advise the parents that they may be held  
23 responsible for the support of the child if the child is placed in out-  
24 of-home care.

25 (5) The judge may endorse upon the summons an order directing any  
26 parent, guardian, or custodian having the custody or control of the  
27 child to bring the child to the hearing.

28 (6) If it appears from affidavit or sworn statement presented to  
29 the judge that there is probable cause for the issuance of a warrant of  
30 arrest or that the child needs to be taken into custody pursuant to RCW  
31 13.34.050, the judge may endorse upon the summons an order that an  
32 officer serving the summons shall at once take the child into custody  
33 and take him to the place of shelter designated by the court.

34 (7) If the person summoned as provided in this section is subject  
35 to an order of the court pursuant to subsection (5) or (6) of this  
36 section, and if the person fails to abide by the order, he may be  
37 proceeded against as for contempt of court. The order endorsed upon  
38 the summons shall conspicuously display the following legend:

1 NOTICE:  
2 VIOLATION OF THIS ORDER  
3 IS SUBJECT TO PROCEEDING  
4 FOR CONTEMPT OF COURT  
5 PURSUANT TO RCW 13.34.070.

6 (8) If a party to be served with a summons can be found within the  
7 state, the summons shall be served upon the party personally as soon as  
8 possible following the filing of the petition, but in no case later  
9 than fifteen court days before the fact-finding hearing, or such time  
10 as set by the court. If the party is within the state and cannot be  
11 personally served, but the party's address is known or can with  
12 reasonable diligence be ascertained, the summons may be served upon the  
13 party by mailing a copy thereof by certified mail as soon as possible  
14 following the filing of the petition, but in no case later than fifteen  
15 court days before the hearing, or such time as set by the court. If a  
16 party other than the child is without the state but can be found or the  
17 address is known, or can with reasonable diligence be ascertained,  
18 service of the summons may be made either by delivering a copy thereof  
19 to the party personally or by mailing a copy thereof to the party by  
20 certified mail at least ten court days before the fact-finding hearing,  
21 or such time as set by the court.

22 (9) Service of summons may be made under the direction of the court  
23 by any person eighteen years of age or older who is not a party to the  
24 proceedings or by any law enforcement officer, probation counselor, or  
25 department of social and health services social worker.

26 (10) In any proceeding brought under this chapter where the court  
27 knows or has reason to know that the child involved is a member of an  
28 Indian tribe, notice of the pendency of the proceeding shall also be  
29 sent by registered mail, return receipt requested, to the child's  
30 tribe. If the identity or location of the tribe cannot be determined,  
31 such notice shall be transmitted to the secretary of the interior of  
32 the United States.

33 **Sec. 16.** RCW 13.34.130 and 1997 c 280 s 1 are each amended to read  
34 as follows:

35 If, after a fact-finding hearing pursuant to RCW 13.34.110, it has  
36 been proven by a preponderance of the evidence that the child is  
37 dependent within the meaning of RCW 13.34.030; after consideration of  
38 the predisposition report prepared pursuant to RCW 13.34.110 and after



1 a disposition hearing has been held pursuant to RCW 13.34.110, the  
2 court shall enter an order of disposition pursuant to this section.

3 (1) The court shall order one of the following dispositions of the  
4 case:

5 (a) Order a disposition other than removal of the child from his or  
6 her home, which shall provide a program designed to alleviate the  
7 immediate danger to the child, to mitigate or cure any damage the child  
8 has already suffered, and to aid the parents so that the child will not  
9 be endangered in the future. In selecting a program, the court should  
10 choose those services that least interfere with family autonomy,  
11 provided that the services are adequate to protect the child.

12 (b) Order that the child be removed from his or her home and  
13 ordered into the custody, control, and care of a relative or the  
14 department of social and health services or a licensed child placing  
15 agency for placement in a foster family home or group care facility  
16 licensed pursuant to chapter 74.15 RCW or in a home not required to be  
17 licensed pursuant to chapter 74.15 RCW. Unless there is reasonable  
18 cause to believe that the safety or welfare of the child would be  
19 jeopardized or that efforts to reunite the parent and child will be  
20 hindered, such child shall be placed with a person who is related to  
21 the child as defined in RCW 74.15.020(4)(a) and with whom the child has  
22 a relationship and is comfortable, and who is willing and available to  
23 care for the child. Placement of the child with a relative under this  
24 subsection shall be given preference by the court. An order for out-  
25 of-home placement may be made only if the court finds that reasonable  
26 efforts have been made to prevent or eliminate the need for removal of  
27 the child from the child's home and to make it possible for the child  
28 to return home, specifying the services that have been provided to the  
29 child and the child's parent, guardian, or legal custodian, and that  
30 preventive services have been offered or provided and have failed to  
31 prevent the need for out-of-home placement, unless the health, safety,  
32 and welfare of the child cannot be protected adequately in the home,  
33 and that:

34 (i) There is no parent or guardian available to care for such  
35 child;

36 (ii) The parent, guardian, or legal custodian is not willing to  
37 take custody of the child;

38 (iii) The court finds, by clear, cogent, and convincing evidence,  
39 a manifest danger exists that the child will suffer serious abuse or

1 neglect if the child is not removed from the home and an order under  
2 RCW 26.44.063 would not protect the child from danger; or

3 (iv) The extent of the child's disability is such that the parent,  
4 guardian, or legal custodian is unable to provide the necessary care  
5 for the child and the parent, guardian, or legal custodian has  
6 determined that the child would benefit from placement outside of the  
7 home.

8 (2) If the court has ordered a child removed from his or her home  
9 pursuant to subsection (1)(b) of this section, the court may order that  
10 a petition seeking termination of the parent and child relationship be  
11 filed if the court finds it is recommended by the supervising agency,  
12 that it is in the best interests of the child and that it is not  
13 reasonable to provide further services to reunify the family because  
14 the existence of aggravated circumstances make it unlikely that  
15 services will effectuate the return of the child to the child's parents  
16 in the near future. In determining whether aggravated circumstances  
17 exist, the court shall consider one or more of the following:

18 (a) Conviction of the parent of rape of the child in the first,  
19 second, or third degree as defined in RCW 9A.44.073, 9A.44.076, and  
20 9A.44.079;

21 (b) Conviction of the parent of criminal mistreatment of the child  
22 in the first or second degree as defined in RCW 9A.42.020 and  
23 9A.42.030;

24 (c) Conviction of the parent of one of the following assault  
25 crimes, when the child is the victim: Assault in the first or second  
26 degree as defined in RCW 9A.36.011 and 9A.36.021 or assault of a child  
27 in the first or second degree as defined in RCW 9A.36.120 or 9A.36.130;

28 (d) Conviction of the parent of murder, manslaughter, or homicide  
29 by abuse of the child's other parent, sibling, or another child;

30 (e) A finding by a court that a parent is a sexually violent  
31 predator as defined in RCW 71.09.020;

32 (f) Failure of the parent to complete available treatment ordered  
33 under this chapter or the equivalent laws of another state, where such  
34 failure has resulted in a prior termination of parental rights to  
35 another child and the parent has failed to effect significant change in  
36 the interim;

37 (g) The mother has given birth to a third or subsequent drug-  
38 affected infant.

1 (3) Whenever a child is ordered removed from the child's home, the  
2 agency charged with his or her care shall provide the court with:

3 (a) A permanency plan of care that shall identify one of the  
4 following outcomes as a primary goal and may identify additional  
5 outcomes as alternative goals: Return of the child to the home of the  
6 child's parent, guardian, or legal custodian; adoption; guardianship;  
7 or long-term relative or foster care, until the child is age eighteen,  
8 with a written agreement between the parties and the care provider; and  
9 independent living, if appropriate and if the child is age sixteen or  
10 older. Whenever a permanency plan identifies independent living as a  
11 goal, the plan shall also specifically identify the services that will  
12 be provided to assist the child to make a successful transition from  
13 foster care to independent living. Before the court approves  
14 independent living as a permanency plan of care, the court shall make  
15 a finding that the provision of services to assist the child in making  
16 a transition from foster care to independent living will allow the  
17 child to manage his or her financial affairs and to manage his or her  
18 personal, social, educational, and nonfinancial affairs. The  
19 department shall not discharge a child to an independent living  
20 situation before the child is eighteen years of age unless the child  
21 becomes emancipated pursuant to chapter 13.64 RCW.

22 (b) Unless the court has ordered, pursuant to subsection (2) of  
23 this section, that a termination petition be filed, a specific plan as  
24 to where the child will be placed, what steps will be taken to return  
25 the child home, and what actions the agency will take to maintain  
26 parent-child ties. All aspects of the plan shall include the goal of  
27 achieving permanence for the child.

28 (i) The agency plan shall specify what services the parents will be  
29 offered in order to enable them to resume custody, what requirements  
30 the parents must meet in order to resume custody, and a time limit for  
31 each service plan and parental requirement.

32 (ii) The agency shall be required to encourage the maximum parent-  
33 child contact possible, including regular visitation and participation  
34 by the parents in the care of the child while the child is in  
35 placement. Visitation may be limited or denied only if the court  
36 determines that such limitation or denial is necessary to protect the  
37 child's health, safety, or welfare.

38 (iii) A child shall be placed as close to the child's home as  
39 possible, preferably in the child's own neighborhood, unless the court

1 finds that placement at a greater distance is necessary to promote the  
2 child's or parents' well-being.

3 (iv) The agency charged with supervising a child in placement shall  
4 provide all reasonable services that are available within the agency,  
5 or within the community, or those services which the department of  
6 social and health services has existing contracts to purchase. It  
7 shall report to the court if it is unable to provide such services.

8 (c) If the court has ordered, pursuant to subsection (2) of this  
9 section, that a termination petition be filed, a specific plan as to  
10 where the child will be placed, what steps will be taken to achieve  
11 permanency for the child, services to be offered or provided to the  
12 child, and, if visitation would be in the best interests of the child,  
13 a recommendation to the court regarding visitation between parent and  
14 child pending a fact-finding hearing on the termination petition. The  
15 agency shall not be required to develop a plan of services for the  
16 parents or provide services to the parents.

17 (4) If there is insufficient information at the time of the  
18 disposition hearing upon which to base a determination regarding the  
19 suitability of a proposed placement with a relative, the child shall  
20 remain in foster care and the court shall direct the supervising agency  
21 to conduct necessary background investigations as provided in chapter  
22 74.15 RCW and report the results of such investigation to the court  
23 within thirty days. However, if such relative appears otherwise  
24 suitable and competent to provide care and treatment, the criminal  
25 history background check need not be completed before placement, but as  
26 soon as possible after placement. Any placements with relatives,  
27 pursuant to this section, shall be contingent upon cooperation by the  
28 relative with the agency case plan and compliance with court orders  
29 related to the care and supervision of the child including, but not  
30 limited to, court orders regarding parent-child contacts and any other  
31 conditions imposed by the court. Noncompliance with the case plan or  
32 court order shall be grounds for removal of the child from the  
33 relative's home, subject to review by the court.

34 (5) Except for children whose cases are reviewed by a citizen  
35 review board under chapter 13.70 RCW, the status of all children found  
36 to be dependent shall be reviewed by the court at least every six  
37 months from the beginning date of the placement episode or the date  
38 dependency is established, whichever is first, at a hearing in which it  
39 shall be determined whether court supervision should continue. The

1 review shall include findings regarding the agency and parental  
2 completion of disposition plan requirements, and if necessary, revised  
3 permanency time limits.

4 (a) A child shall not be returned home at the review hearing unless  
5 the court finds that a reason for removal as set forth in this section  
6 no longer exists. The parents, guardian, or legal custodian shall  
7 report to the court the efforts they have made to correct the  
8 conditions which led to removal. If a child is returned, casework  
9 supervision shall continue for a period of six months, at which time  
10 there shall be a hearing on the need for continued intervention.

11 (b) If the child is not returned home, the court shall establish in  
12 writing:

13 (i) Whether reasonable services have been provided to or offered to  
14 the parties to facilitate reunion, specifying the services provided or  
15 offered;

16 (ii) Whether the child has been placed in the least-restrictive  
17 setting appropriate to the child's needs, including whether  
18 consideration and preference has been given to placement with the  
19 child's relatives;

20 (iii) Whether there is a continuing need for placement and whether  
21 the placement is appropriate;

22 (iv) Whether there has been compliance with the case plan by the  
23 child, the child's parents, and the agency supervising the placement;

24 (v) Whether progress has been made toward correcting the problems  
25 that necessitated the child's placement in out-of-home care;

26 (vi) Whether the parents have visited the child and any reasons why  
27 visitation has not occurred or has been infrequent;

28 (vii) Whether additional services are needed to facilitate the  
29 return of the child to the child's parents; if so, the court shall  
30 order that reasonable services be offered specifying such services; and

31 (viii) The projected date by which the child will be returned home  
32 or other permanent plan of care will be implemented.

33 (c) The court at the review hearing may order that a petition  
34 seeking termination of the parent and child relationship be filed."

1 **E2SHB 3008** - S COMM AMD  
2 By Committee on Human Services & Corrections

3  
4 On page 1, line 2 of the title, after "addiction;" strike the  
5 remainder of the title and insert "amending RCW 13.34.070 and  
6 13.34.130; adding new sections to chapter 13.34 RCW; adding new  
7 sections to chapter 70.96A RCW; adding a new section to chapter 18.71  
8 RCW; creating new sections; providing an effective date; and providing  
9 expiration dates."

--- END ---