

# HOUSE BILL REPORT

## HB 1849

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**As Reported By House Committee On:**  
Children & Family Services

**Title:** An act relating to children with developmental disabilities.

**Brief Description:** Changing provisions relating to developmentally disabled dependent children.

**Sponsors:** Representative Delvin.

**Brief History:**

**Committee Activity:**

Children & Family Services: 2/20/97, 2/27/97 [DPS].

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### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cooke, Chairman; Boldt, Vice Chairman; Bush, Vice Chairman; Tokuda, Ranking Minority Member; Kastama, Assistant Ranking Minority Member; Ballasiotes; Carrell; Dickerson; Gombosky; McDonald and Wolfe.

**Staff:** David Knutson (786-7146).

**Background:** Children with developmental disabilities who require out-of-home care are served through the Division of Children and Family Services in the Department of Social and Health Services (DSHS). In many cases, these children have not been abused or neglected, but require foster care because their parents are not equipped to care for them. A recent management improvement project recommended that the Division of Children and Family Services focus on children who have been abused or neglected and stop serving other children who do not meet this criteria.

To qualify for federal foster care funds, Washington requires a legal process to determine if a child is dependent and, if placed in foster care, has a routine judicial review of the placement. Children with developmental disabilities must be declared dependent to qualify for federal funds, even if they have not been abused, neglected, or abandoned. This can be a source of embarrassment to the parents of the child.

**Summary of Substitute Bill:** Children with developmental disabilities will be served through the Division of Developmental Disabilities within the DSHS. A voluntary placement agreement between the DSHS and the parents of children with developmental disabilities will be arranged when a child needs out-of-home care. It will be separate from dependency proceedings involving abused, neglected, or abandoned children. The secretary of the DSHS will oversee the transfer of responsibilities from the Division of Children and Family Services to the Division of Developmental Disabilities.

**Substitute Bill Compared to Original Bill:** An administrative process governing a voluntary placement agreement replaces a judicial proceeding. The secretary of the DSHS will oversee the transfer of responsibilities with the agency.

**Appropriation:** None.

**Fiscal Note:** Requested on February 20, 1997.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect on July 1, 1997.

**Testimony For:** Parents are embarrassed and treated poorly by the DSHS and the courts when they have to seek out-of-home care for their child with a developmental disability. A respectful, dignified administrative process should be used when children with developmental disabilities need an out-of-home placement. Parents should only have to deal with one bureaucracy when seeking help for their child with a developmental disability, not two.

**Testimony Against:** The Division of Developmental Disabilities has not provided this service to children with developmental disabilities for many years.

**Testified:** Representative Delvin; Janet Adams, ARC of Washington (pro); Donna Patrick, Developmental Disabilities Council (pro); Jocie DeVries, FAS Family Resource Institute (pro); Ann Waller, FAS Family Resource Institute; Tim Brown, Department of Social and Health Services (con); and Jennifer Strus, Department of Social and Health Services (con).