

HOUSE BILL REPORT

HB 1860

As Reported By House Committee On:
Children & Family Services

Title: An act relating to adoption.

Brief Description: Requiring full disclosure of medical and psychological history to prospective adopting parents.

Sponsors: Representatives Cooke, Dickerson, Boldt, McDonald, Regala, Costa, Mason, Anderson, Kessler and Ogden.

Brief History:

Committee Activity:

Children & Family Services: 2/21/97, 2/28/97 [DPS].

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: Individuals, agencies, and organizations that place children for adoption are required to give prospective adoptive parents a complete medical report covering the mental, physical, and sensory handicaps of the child. Some adoptive parents are not provided critical information needed to make an informed decision before receiving a child for adoption.

Summary of Substitute Bill: Individuals, agencies, and organizations that place children for adoption will provide prospective adoptive parents medical information on the child's condition prior to physical placement. A person will be considered a prospective adoptive parent when he or she initially communicates an interest in adopting a child to the affected individual, agency, or organization. Individuals, agencies, and organizations that place children for adoption or foster care that fail to use reasonable care in obtaining and disclosing the medical and psychological history of the child will be liable to the foster or adoptive parents for damages.

Substitute Bill Compared to Original Bill: Internal references to the information that will be provided to prospective adoptive parents is made consistent. The language related to seeking damages against individuals and agencies that do not use reasonable care in providing information to prospective adoptive parents is removed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: Prospective adoptive parents need to receive all known and available information before a child is placed in their home.

Testimony Against: As written, the amount and type of information provided to potential adoptive parents is unclear. The language requiring reasonable care in providing adoptive parents with information is confusing and will have a chilling effect on individuals and agencies that place children for adoption.

Testified: Viki Steiner, citizen (pro); Bill Sellars, ARC of Washington (with concerns); Gloria Fawcett, adoptive parent (pro); Ken Vaughn, adoptive parent (pro); Erika Giles, Medina Children's Services (con); and Mark Demaray, adoptive parent (con).