

# **HOUSE BILL ANALYSIS**

## **HB 1938**

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**Title:** *An act relating to at-risk youth.*

**Brief Description:** *Changing provisions relating to at-risk youth.*

**Sponsors:** *Representatives Carrell, Cooke, Talcott, Cairnes, Mulliken, Sterk, Huff, L. Thomas, Reams, D. Schmidt, McMorris, Robertson, Hickel, Mitchell, Buck, D. Sommers, B. Thomas, Delvin and Backlund.*

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### **HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES**

**Meeting Date:** *February 27, 1997.*

**Bill Analysis Prepared by:** *Doug Ruth (786-7134).*

**Background:** *During the 1995 session, the Legislature passed a comprehensive act, known as the Becca Bill, addressing concerns about at-risk and runaway youth. The goal of the legislation was to provide increased protection for children who engage in harmful acts or behaviors, and to give parents, the Department of Social and Health Services (DSHS), schools, courts, and law enforcement additional tools to help these children.*

*One of the tools provided by the bill is a judicial process for setting guidelines for these children and for placing them in out-of-home settings. The two processes are known as the at-risk youth petition- (ARY) process and the child in need of services petition- (CHINS) process. A second tool created by the bill is the crime of unlawful harboring of a minor. A person is guilty of this crime if, without parental consent, they provide shelter to a child who they know has runaway from home. As a compliment to this crime, individuals are required to report the location of a child who they know is a runaway to the child's parents or to law enforcement.*

*In 1996, the Legislature enacted improvements to the Becca Bill-. One of these improvements was authorizing courts to place an at-risk youth in a program to treat behavioral difficulties. The program was required to be conducted in a staff secure facility.*

**Summary of Bill:** *Failing to notify a parent or a law enforcement agency of the whereabouts of a runaway child is made a misdemeanor for individuals and a licensing violation for licensed shelters.*

*Courts are required to place a child in a program for remedying behavioral difficulties if the court finds that the child meets one of three requirements. The three requirements are:*

*(1) That the child has runaway for more than three days on two or more occasions during a 12 month period and the child's parents have filed runaway reports;*

*(2) That a court has found that the child has violated a at-risk youth (ARY) court order and the court has reason to believe that the child will continue to violate the order; and*

*(3) That a court has found that the child has violated an at-risk youth (ARY) court order on two or more occasions.*

*The program must be conducted in a secure facility. The state is required to pay for the costs of the program if the child's parents are unable to pay.*

*The Attorney General's office will defend operators of behavior treatment programs who are sued for acts that are related to providing treatment.*

*Providers of outpatient mental health treatment are required to notify parents of children who are 13 years of age or older that the child is receiving treatment. The notice must be given after a child's third visit. Exemptions are provided for children who the department finds are abused and if notification would interfere with the necessary treatment for the minor.*

**Appropriation:** *None.*

**Fiscal Note:** *Available.*

**Effective Date:** *August 1, 1997.*