

FINAL BILL REPORT

HB 2557

C 229 L 98

Synopsis as Enacted

Brief Description: Concerning judicial review for certain out-of-home child placements.

Sponsors: Representatives Tokuda, Cooke and O'Brien; by request of Department of Social and Health Services.

House Committee on Children & Family Services
Senate Committee on Human Services & Corrections

Background: Until 1997, developmentally disabled children whose parents were incapable of caring for them were considered dependent children and were placed in the care of the Children's Administration. In the 1997 session, the dependency laws were modified to eliminate these children from the definition of dependent children.

At the same time, the law created voluntary placement agreements to allow developmentally disabled children to receive the same services as had been provided to them by the Children's Administration pursuant to dependency findings. These agreements were created to avoid requiring to say they are unable to care for their child. The agreements permit a disabled child's parents to contract with the Children's Administration to place their child in out-of-home care. Procedures were created to insure judicial oversight of the placement. One component of this oversight was a judicial determination, made within 180 days of placement, that such a placement is in the best interests of the child.

Summary: The Department of Social and Health Services is required to give notice to parents in writing that the parents have a right to civil action to obtain out-of-home placement in cases where the department does not accept a voluntary placement agreement.

If an out-of-home placement will terminate within 180 days, a judicial determination that the out-of-home placement is in the best interests of the child need not be obtained.

Grammatical corrections are made.

Votes on Final Passage:

House 96 0

Senate 47 0 (Senate amended)

House 96 0 (House concurred)

Effective: June 11, 1998