

HOUSE BILL REPORT

HB 2587

As Reported By House Committee On:
Children & Family Services

Title: An act relating to payment to foster parents during investigations.

Brief Description: Regarding payment to foster parents during investigations of child abuse and neglect.

Sponsors: Representatives Mielke, Boldt, Clements and Schoesler.

Brief History:

Committee Activity:

Children & Family Services: 1/29/98, 2/5/98 [DPS].

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Cooke, Chairman; Boldt, Vice Chairman; Bush, Vice Chairman; Kastama, Assistant Ranking Minority Member; Ballasiotes; Carrell; Dickerson; Gombosky; McDonald and Wolfe.

Minority Report: Without recommendation. Signed by 1 member: Representative Tokuda, Ranking Minority Member.

Staff: Douglas Ruth (786-7134).

Background: For many foster parents, payments to care for foster children constitute a large percentage of their household income. If foster parents are accused of an improper action the foster child is removed from their home, foster care payments are stopped, and the Department of Social and Health Services conducts an investigation. Investigations may take weeks or months to conduct. This can create a financial hardship for foster parents.

Summary of Substitute Bill: When the Department of Social and Health Services investigates a therapeutic or treatment foster home accused of an improper action, foster care payments will be continued until the allegation is founded or criminal charges are filed.

Therapeutic or treatment foster homes are those that care for extremely behaviorally or emotionally disturbed children who need specialized treatment to function in a home.

Substitute Bill Compared to Original Bill: The substitute only requires continued payments during investigations of therapeutic or treatment foster homes. A definition of therapeutic or treatment foster homes is provided.

The department may discontinue payments once criminal charges are filed.

Appropriation: None.

Fiscal Note: On file.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Currently, investigations of foster parents drag on for months. The impact that these investigations have on foster parents is large. The foster parents of special needs children may have made expensive improvements to their homes to accommodate these children. They cannot afford to have foster payments terminated for long periods of time. In a few cases, foster parents have lost their homes due to the length of investigations. In a time when the department is having difficulty recruiting foster parents, it is foolish to create a risk that foster parents may face financial distress whenever they are subject to an allegation of improper action. The fiscal impact to the bill should be small if the department is investigating these cases timely. It should be able to confirm or deny the majority of claims within a week. Requiring the department to continue payment during an investigation should create an incentive for the department to conduct timely investigations. For therapeutic foster parents, the income they receive is similar to the wage of an independent contractor. Foster care for these individuals is a job. Just as the state does not terminate payment to a public employee who is under investigation, the state should not terminate payment to foster parents under investigation.

Testimony Against: Foster care payments have always been for the support of the child, and not considered income. Foster parents are volunteers, not contractors. Because the department removes a foster child from an investigated home, the bill will require the department to make double payments: to the parents under investigation and to the new foster home of the child. This may also risk losing federal matching funds in these cases. The bill, as drafted, will also include continued payments for investigations where criminal activity is indicated.

Testified: Representative Thomas Mielke (sponsor); Wendy Warman, Washington Family-Based Treatment Services (WAFTS) (pro); Debbie Warren, foster parent (pro); Carmen Cruz, adult foster home owner (pro); Dan and Pat Rushing, foster parents for

15 years (pro); Laurie Lippold, Children's Home Society (pro); Alan Willoughby, FPAWS (pro); and Jennifer Strus, Director, Division for Program & Policy, Department of Social and Health Services (con).