

HOUSE BILL REPORT

HB 2829

As Reported By House Committee On:

Children & Family Services

Title: An act relating to child, adult dependent, and developmentally disabled person abuse.

Brief Description: Regarding reports of abuse to children, adults, and disabled persons.

Sponsors: Representatives Ballasiotes, Costa, O'Brien, Hatfield and Mitchell.

Brief History:

Committee Activity:

Children & Family Services: 2/3/98, 2/6/98 [DPS].

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Cooke, Chairman; Bush, Vice Chairman; Tokuda, Ranking Minority Member; Kastama, Assistant Ranking Minority Member; Ballasiotes; Dickerson; Gombosky; McDonald and Wolfe.

Minority Report: Do not pass. Signed by 2 members: Representatives Boldt, Vice Chairman; and Carrell.

Staff: Douglas Ruth (786-7134).

Background: Certain professionals are required by law to report incidents of abuse or neglect of children, dependent adults, or the developmentally disabled. A report must be made whenever there is reasonable cause to believe abuse or neglect has occurred. These professionals include police officers, nurses, social service counselors, psychologists, pharmacists, licensed child care providers, juvenile probation officers and Department of Social and Health Services employees. Mandatory reporters who knowingly fail to make a report may be guilty of a gross misdemeanor. Professionals making good faith, truthful reports are immune from civil or criminal liability arising out of making such reports.

Summary of Substitute Bill: Religious employees working in a religious institution are added to the list of mandatory reporters. Members of the clergy or priests are exempt from the reporting requirement.

Persons who are prevented from reporting due to threats or abuse are not criminally liable for not reporting.

Substitute Bill Compared to Original Bill: The bill's scope is reduced from including volunteers and personnel of religious institutions to just employees of religious institutions.

Clergy and priests were made completely exempt from the reporting requirement.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Religious personnel currently report evidence of child abuse or neglect, but they do not have an established procedure for making reports. As a result, religious personnel are confused as to the requirements for reporting. As mandatory reporters, religious personnel would be part of an established procedure for Child Protective Services (CPS). As a consequence, the reported children might have access to better services. The bill does not expand the clergy's privilege to keep communications confidential.

Testimony Against: None.

Testified: Suzanne Brown, Washington Coalition of Sexual Assault Programs (pro); and Jennifer Strus, Director, Division for Program and Policy, Department of Social and Health Services (pro).