

HOUSE BILL ANALYSIS

SSB 5511

Title: *An act relating to child abuse and neglect information.*

Brief Description: *Modifying provisions relating to retention of reports of child abuse or neglect.*

Sponsors: *Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Zarelli, Haugen, Benton, Strannigan, Rasmussen, Hochstatter, Schow and Goings).*

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: *March 28, 1997.*

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

Background: *Prior to 1987, the Department of Social and Health Services (DSHS) maintained both substantiated and unsubstantiated reports of child abuse and neglect in a tracking system called Central Registry for Child Abuse and Neglect. Persons who were considered subjects of reports in the system were notified and given the opportunity to refute the allegations. The Legislature repealed the Central Registry in 1987, and replaced it with a system of background checks of pending criminal charges, criminal histories, civil adjudications, or final disciplinary board decisions related to child abuse or neglect through the Washington State Patrol.*

As a result, the DSHS created the Case and Management Information System (CAMIS) to continue recording reports of child abuse and neglect, and to conduct background checks on individuals as part of licensing and employment decisions. The DSHS has also reclassified its categories of abuse and neglect reports as founded-, unfounded-, and inconclusive-. Each of the three categories are defined as follows in the Division of Children and Family Services 1995 policy manual:

Founded: *Based on the CPS investigation, there is reasonable cause for the social worker to believe that either the allegations on the referral are true or that sufficient evidence exists to reasonably support the conclusion that the child has been, or is at risk of being, abused or neglected by a parent or caretaker.-*

Unfounded: *Based on the CPS investigation, there is reasonable cause for the social worker to believe that the allegations on the CPS referral are untrue or that*

sufficient evidence exists to reasonably conclude that the child has not been abused or neglected nor is at risk of abuse or neglect.–

***Inconclusive:** There is not significant evidence for the social worker to reasonably conclude that a child has or has not been abused or neglected or is at risk of abuse or neglect.–*

At this time, all reports and information remains in the tracking system indefinitely.

***Summary of Bill:** The DSHS will delete any information determined to be unfounded in files or reports of child abuse and neglect after six years, unless an additional report has been filed in the intervening period. It will also be required to create a uniform definition of unfounded– in the Washington Administrative Code.*

The subject of an investigation will be notified of the filed report and the subsequent findings. The DSHS will make good-faith efforts to locate the subject. The notice shall inform the subject of his or her opportunity to submit a written response to the report, which will be filed in the record. Persons who are interested in child-care licensing or employment are also given the opportunity to meet with the department to discuss and contest the information in the record.

The notification process must not jeopardize the safety and protection of the child or the investigation.

***Appropriation:** None.*

***Fiscal Note:** Not requested.*

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