

SENATE BILL REPORT

SHB 1849

As Reported By Senate Committee On:
Health & Long-Term Care, April 1, 1997

Title: An act relating to children with developmental disabilities.

Brief Description: Changing provisions relating to developmentally disabled dependent children.

Sponsors: House Committee on Children & Family Services (originally sponsored by Representative Delvin).

Brief History:

Committee Activity: Health & Long-Term Care: 3/21/97, 4/1/97 [DPA].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Deccio, Chair; Wood, Vice Chair; Benton, Fairley, Franklin, Strannigan and Wojahn.

Staff: Jonathan Seib (786-7427)

Background: Children with developmental disabilities who require out-of-home care are served through the Division of Children and Family Services in the Department of Social and Health Services (DSHS). In many cases, these children have not been abused or neglected, but require foster care because their parents are not equipped to care for them. A recent management improvement project recommended that the Division of Children and Family Services focus on children who have been abused or neglected and stop serving other children who do not meet this criteria.

To qualify for federal foster care funds, Washington requires a legal process to determine if a child is dependent and, if placed in foster care, has a routine judicial review of the placement. Children with developmental disabilities must be declared dependent to qualify for federal funds, even if they have not been abused, neglected, or abandoned. This can be a source of embarrassment to the parents of the child.

Summary of Amended Bill: A process is established providing for the voluntary placement of a child with developmental disabilities in a foster family home or group home facility. The process is separate from dependency proceedings involving abused, neglected, or abandoned children. A voluntary placement is made pursuant to a written agreement between the Department of Social and Health Services (DSHS) and the parents of a child with developmental disabilities who needs out-of-home care. Provisions are included regarding permanency planning and a judicial determination of whether the voluntary placement is in the best interest of the child.

DSHS is directed to adopt rules increasing the coordination between the Division of Developmental Disabilities and the Division of Children and Family Services with regard to developmentally disabled children. In all matters involving the out-of-home placement of a developmentally disabled child, the Division of Children and Family Services caseworker is to be the primary point of contact for the family.

Amended Bill Compared to Substitute Bill: DSHS is required to consolidate all services it provides to children with developmental disabilities into the Division of Developmental Disabilities. The amendment removes this requirement. The amendment adds the requirement that DSHS adopt rules increasing the coordination between the Division of Developmental Disabilities and the Division of Children and Family Services with regard to developmentally disabled children. The amendment makes technical changes and additions to the voluntary placement process, including providing a more explicit judicial determination process.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 1997; section 3 of the bill takes effect immediately.

Testimony For: The object of the bill is to provide a sensible replacement to the existing process whereby in order to get state assistance, developmentally disabled children must be made dependents of the state and tagged "abused and neglected." The bill puts all services for developmentally disabled children under a single division at DSHS. The current process for placement of developmentally disabled children is confusing and demeaning.

Testimony Against: None.

Testified: PRO: Representative Delvin, prime sponsor; Cindy Orton; Lana Collins; Chris Collins; Cheryl DeCamp; Robert DeCamp; Kelly Key.