

SENATE BILL REPORT

HB 2557

As Reported By Senate Committee On:
Human Services & Corrections, February 18, 1998

Title: An act relating to technical clarifying changes to developmentally disabled children's out-of-home placement.

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.

Brief History:

Committee Activity: Human Services & Corrections: 2/18/98 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl and Schow.

Staff: Joan K. Mell (786-7447)

Background: The Department of Social and Health Services (DSHS) requests technical amendments to the dependency statutes. In 1997, the Legislature enacted voluntary placement agreements for developmentally disabled children to receive out-of-home placements. The enactment struck from the dependency statutes a definition of dependency that enabled parents to obtain out-of-home placement via the courts. Language similar, but not identical, to the dependency definition was left in the statute as criteria for the court to consider for out-of-home placements. The department understood that language was unnecessary given the enactment of voluntary placement agreements, which would remove the judicial avenue for parents to obtain out-of-home placements for their developmentally disabled children.

Summary of Amended Bill: The Department of Social and Health Services must give notice to parents in writing that they have a right to civil action to obtain out-of-home placement in cases where the department does not accept a voluntary placement agreement. In cases of out-of-home placement terminating within 180 days, a judicial determination that the out-of-home placement is in the best interests of the child need not be obtained.

Amended Bill Compared to Original Bill: In the bill, the statutory references to criteria for out-of-home placement are stricken, and there is no requirement that the department give notice of a right to civil action.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: There is no objection to the changes made.

Testimony Against: None.

Testified: Jennifer Strus, DSHS (pro).