

SENATE BILL REPORT

SB 5511

As Reported By Senate Committee On:
Human Services & Corrections, February 27, 1997

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: Senators Stevens, Hargrove, Zarelli, Haugen, Benton, Strannigan, Rasmussen, Hochstatter, Schow and Goings.

Brief History:

Committee Activity: Human Services & Corrections: 2/11/97, 2/27/97 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5511 be substituted therefor, and the substitute bill do pass.

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

Staff: Kyle Thiessen (786-7754)

Background: Before 1987, the Department of Social and Health Services entered substantiated and unsubstantiated reports and information into a record-keeping system known as the Central Registry for Child Abuse and Neglect. The Central Registry was used to track child abuse and neglect reports. Persons who were the subject of reports in the Central Registry were provided notice and given the opportunity to challenge reports in the Central Registry. In 1987 the Legislature repealed the Central Registry and replaced it with background checks of pending criminal charges, criminal histories, civil adjudications, or disciplinary board final decisions related to child abuse or neglect through the Washington State Patrol crime computer.

The Department of Social and Health Services has continued to collect and use substantiated and unsubstantiated reports of child abuse and neglect on a new computer system known as the case and management information system (CAMIS) to conduct background checks on individuals.

Summary of Substitute Bill: The Department of Social and Health Services must purge, after six years, information in files or reports of child abuse and neglect if the information is determined to be unfounded and no new reports have been received within the six years.

The department must notify people who are the subject of reports of child abuse or neglect at a point when the child and the investigation will not be jeopardized. The person must be advised that they may file a written response in the record. A person interested in working

at a licensed child care agency may request an informal meeting with the department to discuss and contest the information in the record.

Substitute Bill Compared to Original Bill: The Department of Social and Health Services must purge, after six years, information in files or reports of child abuse and neglect if the information is determined to be unfounded and no new reports have been received within the six years instead of immediately purging all unsubstantiated reports.

It is clarified that the department must notify people who are the subject of reports of child abuse or neglect at a point when the child and the investigation will not be jeopardized. The person must be advised that they may file a written response in the record. A person interested in working at a licensed child care agency may request an informal meeting with the department to discuss and contest the information in the record.

Limitations in the original bill on the collection of background information are removed.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The current system can be used to deny a person's livelihood with notice or a hearing. A very low standard is used to determine whether information should be put in the system, and that information can be used against the person later.

Testimony Against: The department should be able to keep unsubstantiated reports. The information can be used to keep track of patterns that show up over time.

Testified: Seth Dawson, Common Ground for Children (con); Jennifer Strus, DSHS; Jose Torres, Primrose Torres, Investigate Child Abuse Registry (pro).