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SUBSTITUTE HOUSE BILL 1938

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Children & Family Services (originally sponsored by Representatives Carrell, Cooke, Talcott, Cairnes, Mulliken, Sterk, Huff, L. Thomas, Reams, D. Schmidt, McMorris, Robertson, Hickel, Mitchell, Buck, D. Sommers, B. Thomas, Delvin and Backlund)

Read first time 03/05/97.

- AN ACT Relating to at-risk youth; amending RCW 4.92.060, 4.92.070,
- 2 4.92.150, 13.32A.082, 13.32A.197, 28A.225.030, 46.20.100, and
- 3 71.34.030; reenacting and amending RCW 28A.225.035; adding a new
- 4 section to chapter 28A.225 RCW; adding a new section to chapter 46.82
- 5 RCW; adding a new section to chapter 46.20 RCW; creating new sections;
- 6 prescribing penalties; and providing an effective date.
- 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 8 NEW SECTION. Sec. 1. The legislature finds that there is a 9 portion of our youth that continues to expose themselves to the dangers 10 associated with living on the streets. Although recent legislative efforts have made great strides in reunifying families through family 11 12 reconciliation services and court supervision and guidance, for some 13 families these efforts have not provided long-term resolution to their 14 conflicts. The legislature recognizes that repeated, short-term 15 attempts at reconciliation have sometimes proven unsuccessful or 16 counterproductive for families experiencing the greatest conflicts and 17 options for long-term treatment are needed. To help resolve the conflicts these families face, it is the intent of the legislature to 18 19 encourage long-term treatment centers to situate in this state.

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- 1 also the legislature's intent to ensure that appropriate, affordable
- 2 treatment is provided to youth who have not responded to reconciliation
- 3 attempts or remain beyond the reach of current services. Nothing in
- 4 this act, however, shall be construed to require the state to satisfy
- 5 judgments entered against a state-contracted treatment center.
- 6 **Sec. 2.** RCW 4.92.060 and 1989 c 403 s 2 are each amended to read 7 as follows:
- 8 Whenever an action or proceeding for damages shall be instituted
- 9 against any state officer, including state elected officials, employee,
- 10 volunteer, ((or)) foster parent licensed in accordance with chapter
- 11 74.15 RCW, or private vendor operating a secure facility providing
- 12 <u>treatment under RCW 13.32A.197</u>, arising from acts or omissions while
- 13 performing, or in good faith purporting to perform, official duties,
- 14 or, in the case of a foster parent, arising from the good faith
- 15 provision of foster care services, or in the case of a vendor operating
- 16 a secure facility, arising from the good faith performance of treatment
- 17 <u>services for behavioral difficulties or needs</u>, such officer, employee,
- 18 volunteer, ((or)) foster parent, or vendor may request the attorney
- 19 general to authorize the defense of said action or proceeding at the
- 20 expense of the state.
- 21 **Sec. 3.** RCW 4.92.070 and 1989 c 403 s 3 are each amended to read 22 as follows:
- 23 If the attorney general shall find that said officer, employee,
- 24 <u>foster parent, vendor of a secure facility providing treatment under</u>
- 25 RCW 13.32A.197, or volunteer's acts or omissions were, or were
- 26 purported to be in good faith, within the scope of that person's
- 27 official duties, or, in the case of a foster parent, that the
- 28 occurrence arose from the good faith provision of foster care services,
- 29 or, in the case of a vendor operating a secure treatment facility,
- 30 arising from the good faith performance of treatment for behavioral
- 31 <u>difficulties and needs</u>, said request shall be granted, in which event
- 32 the necessary expenses of the defense of said action or proceeding
- 33 shall be paid from the appropriations made for the support of the
- 34 department to which such officer, employee, volunteer, or foster parent
- 35 is attached. In such cases the attorney general shall appear and
- 36 defend such officer, employee, volunteer, secure treatment facility
- 37 <u>vendor</u>, or foster parent, who shall assist and cooperate in the defense

- 1 of such suit. However, the attorney general may not represent or
- 2 provide private representation for a foster parent or for a secure
- 3 <u>treatment facility vendor</u>, in an action or proceeding brought by the
- 4 department of social and health services against that foster parent or
- 5 <u>secure treatment facility vendor</u>.
- 6 **Sec. 4.** RCW 4.92.150 and 1989 c 403 s 4 are each amended to read 7 as follows:
- 8 After commencement of an action in a court of competent
- 9 jurisdiction upon a claim against the state, or any of its officers,
- 10 employees, or volunteers arising out of tortious conduct or pursuant to
- 11 42 U.S.C. Sec. 1981 et seq., or against a foster parent or secure
- 12 treatment facility vendor that the attorney general is defending
- 13 pursuant to RCW 4.92.070, or upon petition by the state, the attorney
- 14 general, with the prior approval of the risk management office and with
- 15 the approval of the court, following such testimony as the court may
- 16 require, may compromise and settle the same and stipulate for judgment
- 17 against the state, the affected officer, employee, volunteer, or foster
- 18 parent.
- 19 <u>NEW SECTION.</u> **Sec. 5.** It is the intent of the legislature to
- 20 protect runaway children from predatory individuals, such as drug
- 21 dealers, sexual marauders, and panderers. Since it is in the interests
- 22 of these individuals to keep children who have left home on the street
- 23 and unlocated, this act punishes predatory individuals who provide
- 24 shelter to at-risk youth as a means of preying upon them. The
- 25 legislature also recognizes that preventing at-risk youth from coming
- 26 into contact with these individuals is equally important to their
- 27 protection. Since prevention and reconciliation can only begin once a
- 28 child is located, this act increases the incentives for individuals who
- 29 have the most contact with runaway children to report the children's
- 30 whereabouts.
- 31 **Sec. 6.** RCW 13.32A.082 and 1996 c 133 s 14 are each amended to
- 32 read as follows:
- 33 (1) Any person who, without legal authorization, provides shelter
- 34 to a minor and who knows at the time of providing the shelter that the
- 35 minor is away from the parent's home, or other lawfully prescribed
- 36 residence, without the permission of the parent, shall promptly report

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- $1\,$ the location of the child to the parent, the law enforcement agency of
- 2 the jurisdiction in which the person lives, or the department. The
- 3 report may be made by telephone or any other reasonable means.

permission.

- 4 (2) Unless the context clearly requires otherwise, the definitions 5 in this subsection apply throughout this section.
- 6 (a) "Shelter" means the person's home or any structure over which 7 the person has any control.
- 8 (b) "Promptly report" means to report within eight hours after the 9 person has knowledge that the minor is away from home without parental
- 11 (3) When the department receives a report under subsection (1) of 12 this section, it shall make a good faith attempt to notify the parent 13 that a report has been received and offer services designed to resolve 14 the conflict and accomplish a reunification of the family.
- 15 <u>(4) A violation of subsection (1) of this section by a licensed</u> 16 <u>child-serving agency providing overnight services shall be addressed as</u> 17 <u>a licensing violation under chapter 74.15 RCW.</u>
- 18 (5) A violation of subsection (1) of this section by an individual
 19 who is not an owner, operator, or employee of a child-serving agency is
 20 a misdemeanor.
- 21 **Sec. 7.** RCW 13.32A.197 and 1996 c 133 s 3 are each amended to read 22 as follows:
- 23 (1) In a disposition hearing, after a finding that a child is a 24 child in need of services or an at-risk youth, the court may adopt the 25 additional orders authorized under this section if it finds that the child involved in those proceedings is not eligible for inpatient 26 treatment for a mental health or substance abuse condition and requires 27 specialized treatment. The court ((may)) shall order that a child be 28 29 placed in a ((staff)) secure facility, other than a crisis residential center, that will provide for the child's participation in a program 30 designed to remedy his or her behavioral difficulties or needs((. The 31 court may not enter this order unless)) if the court, at the 32 disposition hearing, ((it)) finds that the placement is clearly 33 34 necessary to protect the child and ((that a less restrictive order would be inadequate to protect the child, given the child's age, 35 36 maturity, propensity to run away from home, past exposure to serious risk when the child ran away from home, and possible future exposure to 37

- 1 serious risk should the child run away from home again)) any of the
 2 following:
- (a) That on two or more separate occasions within the twelve-month period before the date of filing the petition, the child's parents filed a runaway report with a law enforcement agency because the child had been absent from the parent's home for longer than three consecutive days; or
- 8 (b) That the child has been held in contempt under RCW 13.32A.250 9 and the court has reason to believe, based on information provided by the child's parents, family reconciliation service personnel, 10 counselors, crisis residential center administrators, or other 11 responsible adults who have been in contact with the child, that the 12 13 child will continue to fail to comply with the terms of a court order 14 entered under this chapter or will continue to expose himself or 15 herself to serious risk; or
- 16 <u>(c) That on two occasions or more the child has been held in</u>
 17 <u>contempt under RCW 13.32A.250 for violating a single court order</u>
 18 <u>entered under this chapter</u>.

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- (2) The order shall require periodic court review of the placement, with the first review hearing conducted not more than thirty days after the date of the placement. At each review hearing the court shall advise the parents of their rights under RCW 13.32A.160(1), review the progress of the child, and determine whether the orders are still necessary for the protection of the child or a less restrictive placement would be adequate. The court shall modify its orders as it finds necessary to protect the child. Reviews of orders adopted under this section are subject to the review provisions under RCW 13.32A.190 and ((13.32.198 [13.32A.198])) 13.32A.198.
- (3) Placements in ((staff)) secure facilities under this section 30 shall be limited to children who meet the statutory definition of a 31 child in need of services or an at-risk youth as defined in RCW 32 13.32A.030.
 - (4) ((State funds may only be used to pay for placements under this section if, and to the extent that, such funds are appropriated to expressly pay for them)) (a) The parent, parents, or legal guardian of a child placed under this section are liable for the costs of treatment, care, and maintenance of the child to the extent of available resources, including private insurance coverage, and ability to pay. Within funds appropriated, the state shall pay for costs, if

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- 1 any, not covered by the parent, parents, or legal guardian of the
- 2 child.
- 3 (b) The secretary shall establish rules to implement this section
- 4 and to define income, resources, and exemptions to determine the
- 5 parent's, parents', or legal quardian's ability to pay.
- 6 **Sec. 8.** RCW 28A.225.035 and 1996 c 134 s 4 and 1996 c 133 s 31 are 7 each reenacted and amended to read as follows:
- 8 (1) A petition for a civil action under RCW 28A.225.030 shall 9 consist of a written notification to the court alleging that:
- 10 (a) The child has unexcused absences during the current school 11 year;
- 12 (b) Actions taken by the school district have not been successful 13 in substantially reducing the child's absences from school; and
- 14 (c) Court intervention and supervision are necessary to assist the 15 school district or parent to reduce the child's absences from school.
- 16 (2) The petition shall set forth the name, age, school, and 17 residence of the child and the names and residence of the child's 18 parents.
- 19 (3) The petition shall set forth facts that support the allegations 20 in this section, including prior court orders entered pursuant to this 21 chapter, and shall generally request relief available under this 22 chapter.
- (4) When a petition is filed under RCW 28A.225.030, the juvenile court shall schedule a hearing at which the court shall consider the petition. However, a hearing shall not be required if other actions by the court would substantially reduce the child's unexcused absences.
- 27 When a hearing is held, the court shall:
- 28 (a) Separately notify the child, the parent of the child, and the 29 school district of the hearing;
- 30 (b) Notify the parent and the child of their rights to present 31 evidence at the hearing; and
- 32 (c) Notify the parent and the child of the options and rights 33 available under chapter 13.32A RCW.
- 34 (5) The court may require the attendance of both the child and the 35 parents at any hearing on a petition filed under RCW 28A.225.030.
- 36 (6) The court may permit the first hearing to be held without 37 requiring that either party be represented by legal counsel, and to be

- 1 held without a guardian ad litem for the child under RCW 4.08.050. At 2 the request of the school district, the court may permit a school
- 3 district representative who is not an attorney to represent the school
- 4 district at any future hearings.
- 5 (7) The record maker shall not be required to testify in order to
- 6 introduce attendance records as long as the records are duly certified
- 7 by a declaration of the respective school principal and custodian
- 8 <u>thereof</u>.
- 9 (8) If the allegations in the petition are established by a
- 10 preponderance of the evidence, the court shall grant the petition and
- 11 enter an order assuming jurisdiction to intervene for the ((remainder
- 12 of the school year, if the allegations in the petition are established
- 13 by a preponderance of the evidence)) period of time determined by the
- 14 court. In no case may the order expire before the end of the school
- 15 year in which it is entered. In weighing the evidence, the court may
- 16 consider prior orders entered under this chapter against the child and
- 17 the child's incompliance with any prior orders as evidence supporting
- 18 the allegations of the petition.
- 19 $((\frac{8}{8}))$ (9) If the court assumes jurisdiction, the school district
- 20 shall regularly report to the court any additional unexcused absences
- 21 by the child.
- (((9))) Community truancy boards and the courts shall
- 23 coordinate, to the extent possible, proceedings and actions pertaining
- 24 to children who are subject to truancy petitions and at-risk youth
- 25 petitions in RCW 13.32A.191 or child in need of services petitions in
- 26 RCW 13.32A.140.
- 27 **Sec. 9.** RCW 28A.225.030 and 1996 c 134 s 3 are each amended to
- 28 read as follows:
- 29 (1) If a child is required to attend school under RCW 28A.225.010
- 30 and if the actions taken by a school district under RCW 28A.225.020 are
- 31 not successful in substantially reducing an enrolled student's absences
- 32 from public school, not later than the seventh unexcused absence by a
- 33 child within any month during the current school year or not later than
- 34 the tenth unexcused absence during the current school year, or not
- 35 <u>later than the third unexcused absence within any month or the fifth</u>
- 36 <u>unexcused absence during the current school year if the child has been</u>
- 37 the subject of an order under RCW 28A.225.080, the school district
- 38 shall file a petition and supporting affidavit for a civil action with

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- 1 the juvenile court alleging a violation of RCW 28A.225.010: (a) By the
- 2 parent; (b) by the child; or (c) by the parent and the child. Except
- 3 as provided in this subsection, no additional documents need be filed
- 4 with the petition.
- 5 (2) The district shall not later than the fifth unexcused absence 6 in a month:
- 7 (a) Enter into an agreement with a student and parent that 8 establishes school attendance requirements;
- 9 (b) Refer a student to a community truancy board as defined in RCW 28A.225.025. The community truancy board shall enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or
- 14 (c) File a petition under subsection (1) of this section.
- 15 (3) The petition may be filed by a school district employee who is 16 not an attorney.
- 17 (4) If the school district fails to file a petition under this 18 section, the parent of a child with five or more unexcused absences in 19 any month during the current school year or upon the tenth unexcused 20 absence during the current school year may file a petition with the 21 juvenile court alleging a violation of RCW 28A.225.010.
- NEW SECTION. Sec. 10. A new section is added to chapter 28A.225 23 RCW to read as follows:
- 24 (1) Prior to the beginning of each new semester, quarter, or other 25 academic period followed by a district, each district shall prepare a list of its enrolled students who, during the previous one hundred 26 eighty days, have substantially failed to carry out their school 27 attendance responsibility under RCW 28A.225.010(1) or who have dropped 28 29 out of school as defined for purposes of RCW 28A.175.010. shall be effective for the duration of the new semester, quarter, or 30 other academic period. A student shall be considered to have 31 32 "substantially failed" to carry out this responsibility if the student has been absent from school without excuse for five or more school days 33 34 during the one hundred eighty school days preceding the date on which the list is published. For purposes of this subsection, the number of 35 36 "school days" absent without excuse shall be determined by dividing the number of hours the student was absent without excuse by the number of 37 38 hours in the student's average school day.

- (2) No student on the district's list prepared under subsection (1) 1 of this section shall be permitted to enroll in a traffic safety 2 education course offered by a school district or offered by a driver 3 4 training school under chapter 46.82 RCW or shall be permitted to obtain an application for a driver's license under chapter 46.20 RCW. 5 school district shall provide the notice specified under section 14 of 6 7 this act, resulting in the suspension of the student's driving privilege. 8
- 9 <u>NEW SECTION.</u> **Sec. 11.** A new section is added to chapter 46.82 RCW 10 to read as follows:
- A driver training school may not provide instruction in the operation of an automobile to a minor who is subject to section 10 of this act, unless the driver training school is provided with a statement by the principal of the minor's school that the minor is not on the school district's list of students who have substantially failed to carry out their school attendance responsibilities or who have dropped out of school.
- 18 **Sec. 12.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to 19 read as follows:

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- The department of licensing shall not consider an application of any minor under the age of eighteen years for a driver's license or the issuance of a motorcycle endorsement for a particular category unless:
- (1) The application is also signed by a parent or guardian having the custody of such minor, or in the event a minor under the age of eighteen has no father, mother, or guardian, then a driver's license shall not be issued to the minor unless his or her application is also signed by the minor's employer; ((and))
- (2) If the applicant is a student subject to section 10 of this act, the department is provided with proof that the applicant is not on the district's list of students who have substantially failed to carry out their school attendance responsibilities or who have dropped out of school; and
- 33 (3) The applicant has satisfactorily completed a traffic safety 34 education course as defined in RCW 28A.220.020, conducted by a 35 recognized secondary school, that meets the standards established by 36 the office of the state superintendent of public instruction or the 37 applicant has satisfactorily completed a traffic safety education

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course, conducted by a commercial driving instruction enterprise, that 1 2 meets the standards established by the office of the superintendent of public instruction and is officially approved by that office on an 3 4 annual basis: PROVIDED, HOWEVER, That the director may upon a showing 5 that an applicant was unable to take or complete a driver education course waive that requirement if the applicant 6 shows to the 7 satisfaction of the department that a need exists for the applicant to 8 operate a motor vehicle and he or she has the ability to operate a 9 motor vehicle in such a manner as not to jeopardize the safety of 10 persons or property, under rules to be promulgated by the department in concert with the supervisor of the traffic safety education section, 11 office of the superintendent of public instruction. For a person under 12 13 the age of eighteen years to obtain a motorcycle endorsement, he or she must successfully complete a motorcycle safety education course that 14 15 meets the standards established by the department of licensing.

The department may waive any education requirement under this subsection for an applicant previously licensed to drive a motor vehicle or motorcycle outside this state if the applicant provides proof satisfactory to the department that he or she has had education equivalent to that required under this subsection.

NEW SECTION. **Sec. 13.** A new section is added to chapter 46.20 RCW to read as follows:

23 Upon receipt of a notice from a school district that a juvenile is 24 on the district's list of students who have substantially failed to 25 carry out their school attendance responsibilities or who have dropped out of school under section 10 of this act, the department shall 26 suspend for ninety days all driving privileges of such student unless 27 the department receives a statement from an employer that it is 28 29 necessary that the student be able to drive for the student's continued 30 The department shall adopt rules to implement this employment. section. 31

NEW SECTION. Sec. 14. The superintendent of public instruction, in consultation with school districts and the department of licensing, shall develop necessary forms and procedures for demonstrating that juveniles are not on the school district's list of students who have substantially failed to carry out their school attendance

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- 1 responsibilities or who have dropped out of school. The procedures
- 2 shall be established and operational by September 1, 1998.
- 3 **Sec. 15.** RCW 71.34.030 and 1995 c 312 s 52 are each amended to 4 read as follows:
- 5 (1)(a) Any minor thirteen years or older may request and receive 6 outpatient treatment without the consent of the minor's parent.
- 7 Parental authorization is required for outpatient treatment of a minor 8 under the age of thirteen.
- 9 (b) Any provider of outpatient treatment for a minor thirteen years
 10 of age or older shall provide notice of the treatment to the minor's
 11 parents. The notice shall be made upon the completion of the child's
 12 third visit for treatment, and shall contain the name, location, and
 13 telephone number of the mental health care provider who is designated
 14 to discuss the minor's need for treatment with the parent.
- 15 <u>(c) A treatment provider may defer notification to a parent of a</u>
 16 minor's request for treatment if:
- (i) The minor alleges physical or sexual abuse by the parent and the treatment provider notifies the department of the alleged abuse.
- 19 Upon completion of its assessment of the allegation, the department
- 20 shall notify the treatment provider of its findings. If the department
- 21 <u>determines the allegation is not valid, the treatment provider shall</u>
 22 <u>immediately notify the parent of the minor's treatment.</u> If the
- 23 department determines the allegation is valid, the treatment provider
- 24 need not provide notice to the parent; or
- 25 (ii) The provider believes the parental notification will interfere
- 26 with the necessary treatment for the minor. If the provider believes
- 27 the notification will interfere with the necessary treatment, the
- 28 provider shall notify the department. The department shall review the
- 29 circumstances and pursue either a child in need of services petition,
- 30 if the child meets the definition of a child in need of services under
- 31 RCW 13.32A.030(4)(c), or a dependency petition under chapter 13.34 RCW,
- 32 if the child meets the definition of a dependent child under RCW
- 33 <u>13.34.030(4)</u>. If the department determines neither petition is
- 34 appropriate it shall immediately inform the provider, who shall notify
- 35 the parent of the treatment within twenty-four hours or after the third
- 36 <u>visit for treatment, whichever is later.</u>
- 37 (2) When in the judgment of the professional person in charge of an 38 evaluation and treatment facility there is reason to believe that a

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- l minor is in need of inpatient treatment because of a mental disorder,
- 2 and the facility provides the type of evaluation and treatment needed
- 3 by the minor, and it is not feasible to treat the minor in any less
- 4 restrictive setting or the minor's home, the minor may be admitted to
- 5 an evaluation and treatment facility in accordance with the following
- 6 requirements:
- 7 (a) A minor may be voluntarily admitted by application of the
- 8 parent. The consent of the minor is not required for the minor to be
- 9 evaluated and admitted as appropriate.
- 10 (b) A minor thirteen years or older may, with the concurrence of
- 11 the professional person in charge of an evaluation and treatment
- 12 facility, admit himself or herself without parental consent to the
- 13 evaluation and treatment facility, provided that notice is given by the
- 14 facility to the minor's parent in accordance with the following
- 15 requirements:
- 16 (i) Notice of the minor's admission shall be in the form most
- 17 likely to reach the parent within twenty-four hours of the minor's
- 18 voluntary admission and shall advise the parent that the minor has been
- 19 admitted to inpatient treatment; the location and telephone number of
- 20 the facility providing such treatment; and the name of a professional
- 21 person on the staff of the facility providing treatment who is
- 22 designated to discuss the minor's need for inpatient treatment with the
- 23 parent.
- 24 (ii) The minor shall be released to the parent at the parent's
- 25 request for release unless the facility files a petition with the
- 26 superior court of the county in which treatment is being provided
- 27 setting forth the basis for the facility's belief that the minor is in
- 28 need of inpatient treatment and that release would constitute a threat
- 29 to the minor's health or safety.
- 30 (iii) The petition shall be signed by the professional person in
- 31 charge of the facility or that person's designee.
- 32 (iv) The parent may apply to the court for separate counsel to
- 33 represent the parent if the parent cannot afford counsel.
- 34 (v) There shall be a hearing on the petition, which shall be held
- 35 within three judicial days from the filing of the petition.
- 36 (vi) The hearing shall be conducted by a judge, court commissioner,
- 37 or licensed attorney designated by the superior court as a hearing
- 38 officer for such hearing. The hearing may be held at the treatment
- 39 facility.

- (vii) At such hearing, the facility must demonstrate by a preponderance of the evidence presented at the hearing that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety. The hearing shall not be conducted using the rules of evidence, and the admission or exclusion of evidence sought to be presented shall be within the exercise of sound discretion by the judicial officer conducting the hearing.
- 8 (c) Written renewal of voluntary consent must be obtained from the 9 applicant no less than once every twelve months.
- 10 (d) The minor's need for continued inpatient treatments shall be 11 reviewed and documented no less than every one hundred eighty days.

- (3) A notice of intent to leave shall result in the following:
- 13 (a) Any minor under the age of thirteen must be discharged 14 immediately upon written request of the parent.
- 15 (b) Any minor thirteen years or older voluntarily admitted may give 16 notice of intent to leave at any time. The notice need not follow any 17 specific form so long as it is written and the intent of the minor can 18 be discerned.
- 19 (c) The staff member receiving the notice shall date it 20 immediately, record its existence in the minor's clinical record, and 21 send copies of it to the minor's attorney, if any, the county-22 designated mental health professional, and the parent.
- (d) The professional person in charge of the evaluation and treatment facility shall discharge the minor, thirteen years or older, from the facility within twenty-four hours after receipt of the minor's notice of intent to leave, unless the county-designated mental health professional or a parent or legal guardian files a petition or an application for initial detention within the time prescribed by this chapter.
- 30 (4) The ability of a parent to apply to a certified evaluation and 31 treatment program for the involuntary admission of his or her minor 32 child does not create a right to obtain or benefit from any funds or 33 resources of the state. However, the state may provide services for 34 indigent minors to the extent that funds are available therefor.
- NEW SECTION. Sec. 16. This act may be known and cited as the "Becca Three" bill.

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- 1 <u>NEW SECTION.</u> **Sec. 17.** If any provision of this act or its
- 2 application to any person or circumstance is held invalid, the
- 3 remainder of the act or the application of the provision to other
- 4 persons or circumstances is not affected.
- 5 <u>NEW SECTION.</u> **Sec. 18.** This act takes effect August 1, 1997.

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