
SUBSTITUTE SENATE BILL 6208

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Long, Franklin, Winsley and Oke)

Read first time 02/06/98.

1 AN ACT Relating to at-risk youth; amending RCW 71.34.010,
2 71.34.020, 71.34.025, 71.34.030, 70.96A.095, 70.96A.097, 13.32A.250,
3 and 28A.225.030; reenacting and amending RCW 70.96A.020; adding new
4 sections to chapter 71.34 RCW; adding new sections to chapter 70.96A
5 RCW; creating new sections; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds it is often necessary
8 for parents to obtain mental health or chemical dependency treatment
9 for their minor children prior to the time the child's condition
10 presents a likelihood of serious harm or the child becomes gravely
11 disabled. The legislature finds that treatment of such conditions is
12 not the equivalent of incarceration or detention, but is a legitimate
13 act of parental discretion, when supported by decisions of credentialed
14 professionals. The legislature finds that, consistent with *Parham v.*
15 *J.R.*, 442 U.S. 584 (1979), state action is not involved in the
16 determination of a parent and professional person to admit a minor
17 child to treatment and finds this act provides sufficient independent
18 review by the department of social and health services, as a neutral
19 fact-finder, to protect the interests of all parties. The legislature

1 finds it is necessary to provide parents a statutory process, other
2 than the petition process provided in chapters 70.96A and 71.34 RCW, to
3 obtain treatment for their minor children without the consent of the
4 children.

5 The legislature finds that differing standards of admission and
6 review in parent-initiated mental health and chemical dependency
7 treatment for their minor children are necessary and the admission
8 standards and procedures under state involuntary treatment procedures
9 are not adequate to provide safeguards for the safety and well-being of
10 all children. The legislature finds the timeline for admission and
11 reviews under existing law do not provide sufficient opportunities for
12 assessment of the mental health and chemically dependent status of
13 every minor child and that additional time and different standards will
14 facilitate the likelihood of successful treatment of children who are
15 in need of assistance but unwilling to obtain it voluntarily. The
16 legislature finds there are children whose behavior presents a clear
17 need of medical treatment but is not so extreme as to require immediate
18 state intervention under the state involuntary treatment procedures.

19

PART I - MENTAL HEALTH

20 **Sec. 2.** RCW 71.34.010 and 1992 c 205 s 302 are each amended to
21 read as follows:

22 It is the purpose of this chapter to ~~((ensure))~~ assure that minors
23 in need of mental health care and treatment receive an appropriate
24 continuum of culturally relevant care and treatment, ~~((from))~~ including
25 prevention and early intervention ~~((to))~~, self-directed care, parent-
26 directed care, and involuntary treatment. To facilitate the continuum
27 of care and treatment to minors in out-of-home placements, all
28 divisions of the department that provide mental health services to
29 minors shall jointly plan and deliver those services.

30 It is also the purpose of this chapter to protect the rights of
31 minors against needless hospitalization and deprivations of liberty and
32 to enable treatment decisions to be made in response to clinical needs
33 in accordance with sound professional judgment. The mental health care
34 and treatment providers shall encourage the use of voluntary services
35 and, whenever clinically appropriate, the providers shall offer less
36 restrictive alternatives to inpatient treatment. Additionally, all
37 mental health care and treatment providers shall ~~((ensure))~~ assure that

1 minors' parents are given an opportunity to participate in the
2 treatment decisions for their minor children. The mental health care
3 and treatment providers shall, to the extent possible, offer services
4 that involve minors' parents or family.

5 It is also the purpose of this chapter to assure the ability of
6 parents to exercise reasonable, compassionate care and control of their
7 minor children when there is a medical necessity for treatment and
8 without the requirement of filing a petition under this chapter.

9 **Sec. 3.** RCW 71.34.020 and 1985 c 354 s 2 are each amended to read
10 as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout this chapter.

13 (1) "Child psychiatrist" means a person having a license as a
14 physician and surgeon in this state, who has had graduate training in
15 child psychiatry in a program approved by the American Medical
16 Association or the American Osteopathic Association, and who is board
17 eligible or board certified in child psychiatry.

18 (2) "Children's mental health specialist" means:

19 (a) A mental health professional who has completed a minimum of one
20 hundred actual hours, not quarter or semester hours, of specialized
21 training devoted to the study of child development and the treatment of
22 children; and

23 (b) A mental health professional who has the equivalent of one year
24 of full-time experience in the treatment of children under the
25 supervision of a children's mental health specialist.

26 (3) "Commitment" means a determination by a judge or court
27 commissioner, made after a commitment hearing, that the minor is in
28 need of inpatient diagnosis, evaluation, or treatment or that the minor
29 is in need of less restrictive alternative treatment.

30 (4) "County-designated mental health professional" means a mental
31 health professional designated by one or more counties to perform the
32 functions of a county-designated mental health professional described
33 in this chapter.

34 (5) "Department" means the department of social and health
35 services.

36 (6) "Evaluation and treatment facility" means a public or private
37 facility or unit that is certified by the department to provide
38 emergency, inpatient, residential, or outpatient mental health

1 evaluation and treatment services for minors. A physically separate
2 and separately-operated portion of a state hospital may be designated
3 as an evaluation and treatment facility for minors. A facility which
4 is part of or operated by the department or federal agency does not
5 require certification. No correctional institution or facility,
6 juvenile court detention facility, or jail may be an evaluation and
7 treatment facility within the meaning of this chapter.

8 (7) "Evaluation and treatment program" means the total system of
9 services and facilities coordinated and approved by a county or
10 combination of counties for the evaluation and treatment of minors
11 under this chapter.

12 (8) "Gravely disabled minor" means a minor who, as a result of a
13 mental disorder, is in danger of serious physical harm resulting from
14 a failure to provide for his or her essential human needs of health or
15 safety, or manifests severe deterioration in routine functioning
16 evidenced by repeated and escalating loss of cognitive or volitional
17 control over his or her actions and is not receiving such care as is
18 essential for his or her health or safety.

19 (9) "Inpatient treatment" means twenty-four-hour-per-day mental
20 health care provided within a general hospital, psychiatric hospital,
21 or residential treatment facility certified by the department as an
22 evaluation and treatment facility for minors.

23 (10) "Less restrictive alternative" or "less restrictive setting"
24 means outpatient treatment provided to a minor who is not residing in
25 a facility providing inpatient treatment as defined in this chapter.

26 (11) "Likelihood of serious harm" means either: (a) A substantial
27 risk that physical harm will be inflicted by an individual upon his or
28 her own person, as evidenced by threats or attempts to commit suicide
29 or inflict physical harm on oneself; (b) a substantial risk that
30 physical harm will be inflicted by an individual upon another, as
31 evidenced by behavior which has caused such harm or which places
32 another person or persons in reasonable fear of sustaining such harm;
33 or (c) a substantial risk that physical harm will be inflicted by an
34 individual upon the property of others, as evidenced by behavior which
35 has caused substantial loss or damage to the property of others.

36 (12) "Medical necessity" for inpatient care means a requested
37 service which is reasonably calculated to: (a) Diagnose, correct,
38 cure, or alleviate a mental disorder; or (b) prevent the worsening of
39 mental conditions that endanger life or cause suffering and pain, or

1 result in illness or infirmity or threaten to cause or aggravate a
2 handicap, or cause physical deformity or malfunction, and there is no
3 adequate less restrictive alternative available.

4 (13) "Mental disorder" means any organic, mental, or emotional
5 impairment that has substantial adverse effects on an individual's
6 cognitive or volitional functions. The presence of alcohol abuse, drug
7 abuse, juvenile criminal history, antisocial behavior, or mental
8 retardation alone is insufficient to justify a finding of "mental
9 disorder" within the meaning of this section.

10 ~~((13))~~ (14) "Mental health professional" means a psychiatrist,
11 psychologist, psychiatric nurse, or social worker, and such other
12 mental health professionals as may be defined by rules adopted by the
13 secretary under this chapter.

14 ~~((14))~~ (15) "Minor" means any person under the age of eighteen
15 years.

16 ~~((15))~~ (16) "Outpatient treatment" means any of the
17 nonresidential services mandated under chapter 71.24 RCW and provided
18 by licensed services providers as identified by RCW 71.24.025(3).

19 ~~((16))~~ (17) "Parent" means:

20 (a) A biological or adoptive parent who has legal custody of the
21 child, including either parent if custody is shared under a joint
22 custody agreement; or

23 (b) A person or agency judicially appointed as legal guardian or
24 custodian of the child.

25 ~~((17))~~ (18) "Professional person in charge" or "professional
26 person" means a physician or other mental health professional empowered
27 by an evaluation and treatment facility with authority to make
28 admission and discharge decisions on behalf of that facility.

29 ~~((18))~~ (19) "Psychiatric nurse" means a registered nurse who has
30 a bachelor's degree from an accredited college or university, and who
31 has had, in addition, at least two years' experience in the direct
32 treatment of mentally ill or emotionally disturbed persons, such
33 experience gained under the supervision of a mental health
34 professional. "Psychiatric nurse" shall also mean any other registered
35 nurse who has three years of such experience.

36 ~~((19))~~ (20) "Psychiatrist" means a person having a license as a
37 physician in this state who has completed residency training in
38 psychiatry in a program approved by the American Medical Association or

1 the American Osteopathic Association, and is board eligible or board
2 certified in psychiatry.

3 ~~((20))~~ (21) "Psychologist" means a person licensed as a
4 psychologist under chapter 18.83 RCW.

5 ~~((21))~~ (22) "Responsible other" means the minor, the minor's
6 parent or estate, or any other person legally responsible for support
7 of the minor.

8 ~~((22))~~ (23) "Secretary" means the secretary of the department or
9 secretary's designee.

10 ~~((23))~~ (24) "Start of initial detention" means the time of
11 arrival of the minor at the first evaluation and treatment facility
12 offering inpatient treatment if the minor is being involuntarily
13 detained at the time. With regard to voluntary patients, "start of
14 initial detention" means the time at which the minor gives notice of
15 intent to leave under the provisions of this chapter.

16 **Sec. 4.** RCW 71.34.025 and 1995 c 312 s 56 are each amended to read
17 as follows:

18 (1) ~~((The admission of any child under RCW 71.34.030 may be
19 reviewed by the county-designated mental health professional between
20 fifteen and thirty days following admission. The county-designated
21 mental health professional may undertake the review on his or her own
22 initiative and may seek reimbursement from the parents, their
23 insurance, or medicaid for the expense of the review.~~

24 ~~(2))~~ The department shall ~~((ensure))~~ assure that, for any minor
25 admitted to inpatient treatment under section 13 of this act, a review
26 is conducted ((no later than sixty days)) by a physician or other
27 mental health professional who is employed by the department, or an
28 agency under contract with the department, and who neither has a
29 financial interest in continued inpatient treatment of the minor nor is
30 affiliated with the facility providing the treatment. The physician or
31 other mental health professional shall conduct the review not less than
32 seven nor more than fourteen days following ((admission)) the date the
33 minor was brought to the facility under section 13(1) of this act to
34 determine whether it is ((medically appropriate)) a medical necessity
35 to continue the ((child's)) minor's treatment on an inpatient basis.
36 ~~((The department may, subject to available funds, contract with a
37 county for the conduct of the review conducted under this subsection
38 and may seek reimbursement from the parents, their insurance, or~~

1 ~~medicaid for the expense of any review conducted by an agency under~~
2 ~~contract.~~

3 ~~If the county designated mental health professional determines that~~
4 ~~continued inpatient treatment of the child is no longer medically~~
5 ~~appropriate, the professional shall notify the facility, the child, the~~
6 ~~child's parents, and the department of the finding within twenty four~~
7 ~~hours of the determination.~~

8 ~~(3) For purposes of eligibility for medical assistance under~~
9 ~~chapter 74.09 RCW, children in inpatient mental health or chemical~~
10 ~~dependency treatment shall be considered to be part of their parent's~~
11 ~~or legal guardian's household, unless the child has been assessed by~~
12 ~~the department of social and health services or its designee as likely~~
13 ~~to require such treatment for at least ninety consecutive days, or is~~
14 ~~in out of home care in accordance with chapter 13.34 RCW, or the~~
15 ~~child's parents are found to not be exercising responsibility for care~~
16 ~~and control of the child. Payment for such care by the department of~~
17 ~~social and health services shall be made only in accordance with rules,~~
18 ~~guidelines, and clinical criteria applicable to inpatient treatment of~~
19 ~~minors established by the department.)~~

20 (2) In making a determination under subsection (1) of this section,
21 the department shall consider the opinion of the treatment provider,
22 the safety of the minor, and the likelihood the minor's mental health
23 will deteriorate if released from inpatient treatment. The department
24 shall consult with the parent in advance of making its determination.

25 (3) If, after the review conducted by the department under this
26 section, the department determines it is no longer a medical necessity
27 for a minor to receive inpatient treatment, the department shall
28 immediately notify the parents and the facility. The facility shall
29 release the minor to the parents within twenty-four hours of receiving
30 notice. If the professional person in charge and the parent believe
31 that it is a medical necessity for the minor to remain in inpatient
32 treatment, the minor shall be released to the parent on the third
33 judicial day following the department's determination in order to allow
34 the parent time to file an at-risk youth petition under chapter 13.32A
35 RCW. If the department determines it is a medical necessity for the
36 minor to receive outpatient treatment and the minor declines to obtain
37 such treatment, such refusal shall be grounds for the parent to file an
38 at-risk youth petition.

1 (4) If the evaluation conducted under section 13 of this act is
2 done by the department, the review required by subsection (1) of this
3 section shall be done by contract with an independent agency.

4 (5) The department may, subject to available funds, contract with
5 other governmental agencies to conduct the reviews under this section.
6 The department may seek reimbursement from the parents, their
7 insurance, or medicaid for the expense of any review conducted by an
8 agency under contract.

9 (6) In addition to the review required under this section, the
10 department may periodically determine and redetermine the medical
11 necessity of treatment for purposes of payment under the medical
12 assistance program.

13 NEW SECTION. Sec. 5. A new section is added to chapter 71.34 RCW
14 to read as follows:

15 For purposes of eligibility for medical assistance under chapter
16 74.09 RCW, minors in inpatient mental health treatment shall be
17 considered to be part of their parent's or legal guardian's household,
18 unless the minor has been assessed by the department or its designee as
19 likely to require such treatment for at least ninety consecutive days,
20 or is in out-of-home care in accordance with chapter 13.34 RCW, or the
21 parents are found to not be exercising responsibility for care and
22 control of the minor. Payment for such care by the department shall be
23 made only in accordance with rules, guidelines, and clinical criteria
24 applicable to inpatient treatment of minors established by the
25 department.

26 **PART II - VOLUNTARY MENTAL HEALTH OUTPATIENT TREATMENT**

27 **Sec. 6.** RCW 71.34.030 and 1995 c 312 s 52 are each amended to read
28 as follows:

29 ~~((1))~~ Any minor thirteen years or older may request and receive
30 outpatient treatment without the consent of the minor's parent.
31 Parental authorization is required for outpatient treatment of a minor
32 under the age of thirteen.

33 ~~((2) When in the judgment of the professional person in charge of~~
34 ~~an evaluation and treatment facility there is reason to believe that a~~
35 ~~minor is in need of inpatient treatment because of a mental disorder,~~
36 ~~and the facility provides the type of evaluation and treatment needed~~

1 by the minor, and it is not feasible to treat the minor in any less
2 restrictive setting or the minor's home, the minor may be admitted to
3 an evaluation and treatment facility in accordance with the following
4 requirements:

5 (a) A minor may be voluntarily admitted by application of the
6 parent. The consent of the minor is not required for the minor to be
7 evaluated and admitted as appropriate.

8 (b) A minor thirteen years or older may, with the concurrence of
9 the professional person in charge of an evaluation and treatment
10 facility, admit himself or herself without parental consent to the
11 evaluation and treatment facility, provided that notice is given by the
12 facility to the minor's parent in accordance with the following
13 requirements:

14 (i) Notice of the minor's admission shall be in the form most
15 likely to reach the parent within twenty-four hours of the minor's
16 voluntary admission and shall advise the parent that the minor has been
17 admitted to inpatient treatment; the location and telephone number of
18 the facility providing such treatment; and the name of a professional
19 person on the staff of the facility providing treatment who is
20 designated to discuss the minor's need for inpatient treatment with the
21 parent.

22 (ii) The minor shall be released to the parent at the parent's
23 request for release unless the facility files a petition with the
24 superior court of the county in which treatment is being provided
25 setting forth the basis for the facility's belief that the minor is in
26 need of inpatient treatment and that release would constitute a threat
27 to the minor's health or safety.

28 (iii) The petition shall be signed by the professional person in
29 charge of the facility or that person's designee.

30 (iv) The parent may apply to the court for separate counsel to
31 represent the parent if the parent cannot afford counsel.

32 (v) There shall be a hearing on the petition, which shall be held
33 within three judicial days from the filing of the petition.

34 (vi) The hearing shall be conducted by a judge, court commissioner,
35 or licensed attorney designated by the superior court as a hearing
36 officer for such hearing. The hearing may be held at the treatment
37 facility.

38 (vii) At such hearing, the facility must demonstrate by a
39 preponderance of the evidence presented at the hearing that the minor

1 is in need of inpatient treatment and that release would constitute a
2 threat to the minor's health or safety. The hearing shall not be
3 conducted using the rules of evidence, and the admission or exclusion
4 of evidence sought to be presented shall be within the exercise of
5 sound discretion by the judicial officer conducting the hearing.

6 (c) Written renewal of voluntary consent must be obtained from the
7 applicant no less than once every twelve months.

8 (d) The minor's need for continued inpatient treatments shall be
9 reviewed and documented no less than every one hundred eighty days.

10 (3) A notice of intent to leave shall result in the following:

11 (a) Any minor under the age of thirteen must be discharged
12 immediately upon written request of the parent.

13 (b) Any minor thirteen years or older voluntarily admitted may give
14 notice of intent to leave at any time. The notice need not follow any
15 specific form so long as it is written and the intent of the minor can
16 be discerned.

17 (c) The staff member receiving the notice shall date it
18 immediately, record its existence in the minor's clinical record, and
19 send copies of it to the minor's attorney, if any, the county-
20 designated mental health professional, and the parent.

21 (d) The professional person in charge of the evaluation and
22 treatment facility shall discharge the minor, thirteen years or older,
23 from the facility within twenty four hours after receipt of the minor's
24 notice of intent to leave, unless the county designated mental health
25 professional or a parent or legal guardian files a petition or an
26 application for initial detention within the time prescribed by this
27 chapter.

28 (4) The ability of a parent to apply to a certified evaluation and
29 treatment program for the involuntary admission of his or her minor
30 child does not create a right to obtain or benefit from any funds or
31 resources of the state. However, the state may provide services for
32 indigent minors to the extent that funds are available therefor.))

33 NEW SECTION. **Sec. 7.** For the purpose of gathering information
34 related to parental notification of outpatient mental health treatment
35 of minors, the department of health shall conduct a survey of providers
36 of outpatient treatment, as defined in chapter 71.34 RCW. The survey
37 shall gather information from a statistically valid sample of
38 providers. In accordance with confidentiality statutes and the

1 physician-patient privilege, the survey shall secure information from
2 the providers related to:

3 (1) The number of minors receiving outpatient treatment;

4 (2) The number of parents of minors in treatment notified of the
5 minor's treatment;

6 (3) The average number of outpatient visits prior to parental
7 notification;

8 (4) The average number of treatments with parental notification;

9 (5) The average number of treatments without parental notification;

10 (6) The percentage of minors in treatment who are prescribed
11 medication;

12 (7) The medication prescribed;

13 (8) The number of patients terminating treatment due to parental
14 notification; and

15 (9) Any other pertinent information.

16 The department shall submit the survey results to the governor and
17 the appropriate committees of the legislature by December 1, 1998.

18 This section expires June 1, 1999.

19 **PART III - VOLUNTARY MENTAL HEALTH INPATIENT TREATMENT**

20 NEW SECTION. **Sec. 8.** A new section is added to chapter 71.34 RCW
21 to read as follows:

22 (1) A minor thirteen years or older may admit himself or herself to
23 an evaluation and treatment facility for inpatient mental treatment,
24 without parental consent. The admission shall occur only if the
25 professional person in charge of the facility concurs with the need for
26 inpatient treatment.

27 (2) When, in the judgment of the professional person in charge of
28 an evaluation and treatment facility, there is reason to believe that
29 a minor is in need of inpatient treatment because of a mental disorder,
30 and the facility provides the type of evaluation and treatment needed
31 by the minor, and it is not feasible to treat the minor in any less
32 restrictive setting or the minor's home, the minor may be admitted to
33 an evaluation and treatment facility.

34 (3) Written renewal of voluntary consent must be obtained from the
35 applicant no less than once every twelve months. The minor's need for
36 continued inpatient treatments shall be reviewed and documented no less
37 than every one hundred eighty days.

1 NEW SECTION. **Sec. 9.** A new section is added to chapter 71.34 RCW
2 to read as follows:

3 The administrator of the treatment facility shall provide notice to
4 the parents of a minor when the minor is voluntarily admitted to
5 inpatient treatment under section 8 of this act. The notice shall be
6 in the form most likely to reach the parent within twenty-four hours of
7 the minor's voluntary admission and shall advise the parent: (1) That
8 the minor has been admitted to inpatient treatment; (2) of the location
9 and telephone number of the facility providing such treatment; (3) of
10 the name of a professional person on the staff of the facility
11 providing treatment who is designated to discuss the minor's need for
12 inpatient treatment with the parent; and (4) of the medical necessity
13 for admission.

14 NEW SECTION. **Sec. 10.** A new section is added to chapter 71.34 RCW
15 to read as follows:

16 (1) Any minor thirteen years or older who has voluntarily admitted
17 himself or herself to inpatient treatment shall be released to the
18 parent upon the parent's written request for release unless the
19 professional person in charge of the facility exercises his or her
20 option to file a petition for commitment of a minor.

21 (2)(a) The petition shall be filed with the superior court of the
22 county in which treatment is being provided setting forth the basis for
23 the facility's belief that the minor is in need of inpatient treatment
24 and that release would constitute a threat to the minor's health or
25 safety.

26 (b) The petition shall be signed by the minor and the professional
27 person in charge of the facility or that person's designee.

28 (c) The parent may apply to the court for separate counsel to
29 represent the parent if the parent cannot afford counsel.

30 (d) There shall be a hearing on the petition, which shall be held
31 within seventy-two hours from the filing of the petition.

32 (3) The commitment hearing shall be conducted at the superior court
33 or an appropriate place at the treatment facility.

34 (4) The professional person must demonstrate, by a preponderance of
35 the evidence, that the minor is in need of inpatient treatment and that
36 the release would constitute a threat to the minor's health or safety.
37 The rules of evidence shall not apply at the hearing.

1 NEW SECTION. Sec. 11. A new section is added to chapter 71.34 RCW
2 to read as follows:

3 (1) Any minor thirteen years or older voluntarily admitted to an
4 evaluation and treatment facility under section 8 of this act may give
5 notice of intent to leave at any time. The notice need not follow any
6 specific form so long as it is written and the intent of the minor can
7 be discerned.

8 (2) The staff member receiving the notice shall date it
9 immediately, record its existence in the minor's clinical record, and
10 send copies of it to the minor's attorney, if any, the county-
11 designated mental health professional, and the parent.

12 (3) The professional person shall discharge the minor, thirteen
13 years or older, from the facility within twenty-four hours after
14 receipt of the minor's notice of intent to leave, unless the county-
15 designated mental health professional commences an initial detention
16 proceeding under the provisions of this chapter.

17 NEW SECTION. Sec. 12. A new section is added to chapter 71.34 RCW
18 to read as follows:

19 Any minor admitted to inpatient treatment under section 8 or 13 of
20 this act shall be discharged immediately from inpatient treatment upon
21 written request of the parent.

22 **PART IV - PARENT-INITIATED MENTAL HEALTH TREATMENT**

23 NEW SECTION. Sec. 13. A new section is added to chapter 71.34 RCW
24 to read as follows:

25 (1) A parent may bring, or authorize the bringing of, his or her
26 minor child to an evaluation and treatment facility and request that
27 the professional person examine the minor to determine whether the
28 minor has a mental disorder and is in need of inpatient treatment.

29 (2) The consent of the minor is not required for admission,
30 evaluation, and treatment if the parent brings the minor to the
31 facility.

32 (3) An appropriately trained professional person may evaluate
33 whether the minor has a mental disorder. The evaluation shall be
34 completed within twenty-four hours of the time the minor was brought to
35 the facility, unless the professional person determines that the
36 condition of the minor necessitates additional time for evaluation. In

1 no event shall a minor be held longer than seventy-two hours for
2 evaluation without being admitted or released. If, in the judgment of
3 the professional person, it is determined it is a medical necessity for
4 the minor to receive inpatient treatment, the minor may be admitted.
5 Prior to admission, the facility shall limit treatment to that which
6 the professional person determines is medically necessary to stabilize
7 the minor's condition. Within twenty-four hours of the admission, the
8 professional person shall notify the department of the admission.

9 (4) No provider is obligated to provide treatment to a minor under
10 the provisions of this section. No provider may admit a minor to
11 treatment under this section unless it is medically necessary.

12 (5) No minor receiving inpatient treatment under this section may
13 be discharged from the facility based solely on his or her request.

14 (6) For the purposes of this section "professional person" does not
15 include a social worker, unless the social worker is certified under
16 RCW 18.19.110 and appropriately trained and qualified by education and
17 experience, as defined by the department, in psychiatric social work.

18 (7) At the time the minor is admitted, but not later than seventy-
19 two hours after the minor is brought to the facility, the facility
20 shall provide the minor with written notice, in a form prescribed by
21 the department, of the department's duty to review the admission under
22 RCW 71.34.025 and the minor's right to petition for judicial review
23 under section 15 of this act.

24 NEW SECTION. **Sec. 14.** A new section is added to chapter 71.34 RCW
25 to read as follows:

26 (1) A parent may bring, or authorize the bringing of, his or her
27 minor child to a provider of outpatient mental health treatment and
28 request that an appropriately trained professional person examine the
29 minor to determine whether the minor has a mental disorder and is in
30 need of outpatient treatment.

31 (2) The consent of the minor is not required for evaluation if the
32 parent brings the minor to the provider.

33 (3) The professional person may evaluate whether the minor has a
34 mental disorder and is in need of outpatient treatment.

35 NEW SECTION. **Sec. 15.** A new section is added to chapter 71.34 RCW
36 to read as follows:

1 Following the review conducted under RCW 71.34.025, a minor child
2 may petition the superior court for his or her release from the
3 facility. The petition may be filed not sooner than five days
4 following the review. The court shall release the minor unless it
5 finds, upon a preponderance of the evidence, that it is a medical
6 necessity for the minor to remain at the facility.

7 NEW SECTION. **Sec. 16.** A new section is added to chapter 71.34 RCW
8 to read as follows:

9 If the minor is not released as a result of the petition filed
10 under section 15 of this act, he or she shall be released not later
11 than thirty days following the later of: (1) The date of the
12 department's determination under RCW 71.34.025(3); or (2) the filing of
13 a petition for judicial review under section 15 of this act, unless a
14 professional person or the county designated mental health professional
15 initiates proceedings under this chapter.

16 NEW SECTION. **Sec. 17.** A new section is added to chapter 71.34 RCW
17 to read as follows:

18 The ability of a parent to bring his or her minor child to a
19 certified evaluation and treatment program for evaluation and treatment
20 does not create a right to obtain or benefit from any funds or
21 resources of the state. The state may provide services for indigent
22 minors to the extent that funds are available.

23 **PART V - CHEMICAL DEPENDENCY**

24 **Sec. 18.** RCW 70.96A.020 and 1996 c 178 s 23 and 1996 c 133 s 33
25 are each reenacted and amended to read as follows:

26 For the purposes of this chapter the following words and phrases
27 shall have the following meanings unless the context clearly requires
28 otherwise:

29 (1) "Alcoholic" means a person who suffers from the disease of
30 alcoholism.

31 (2) "Alcoholism" means a disease, characterized by a dependency on
32 alcoholic beverages, loss of control over the amount and circumstances
33 of use, symptoms of tolerance, physiological or psychological
34 withdrawal, or both, if use is reduced or discontinued, and impairment
35 of health or disruption of social or economic functioning.

1 (3) "Approved treatment program" means a discrete program of
2 chemical dependency treatment provided by a treatment program certified
3 by the department of social and health services as meeting standards
4 adopted under this chapter.

5 (4) "Chemical dependency" means alcoholism or drug addiction, or
6 dependence on alcohol and one or more other psychoactive chemicals, as
7 the context requires.

8 (5) "Chemical dependency program" means expenditures and activities
9 of the department designed and conducted to prevent or treat alcoholism
10 and other drug addiction, including reasonable administration and
11 overhead.

12 (6) "Department" means the department of social and health
13 services.

14 (7) "Designated chemical dependency specialist" means a person
15 designated by the county alcoholism and other drug addiction program
16 coordinator designated under RCW 70.96A.310 to perform the commitment
17 duties described in RCW 70.96A.140 and qualified to do so by meeting
18 standards adopted by the department.

19 (8) "Director" means the person administering the chemical
20 dependency program within the department.

21 (9) "Drug addict" means a person who suffers from the disease of
22 drug addiction.

23 (10) "Drug addiction" means a disease characterized by a dependency
24 on psychoactive chemicals, loss of control over the amount and
25 circumstances of use, symptoms of tolerance, physiological or
26 psychological withdrawal, or both, if use is reduced or discontinued,
27 and impairment of health or disruption of social or economic
28 functioning.

29 (11) "Emergency service patrol" means a patrol established under
30 RCW 70.96A.170.

31 (12) "Gravely disabled by alcohol or other drugs" means that a
32 person, as a result of the use of alcohol or other drugs: (a) Is in
33 danger of serious physical harm resulting from a failure to provide for
34 his or her essential human needs of health or safety; or (b) manifests
35 severe deterioration in routine functioning evidenced by a repeated and
36 escalating loss of cognition or volitional control over his or her
37 actions and is not receiving care as essential for his or her health or
38 safety.

1 (13) "Incapacitated by alcohol or other psychoactive chemicals"
2 means that a person, as a result of the use of alcohol or other
3 psychoactive chemicals, has his or her judgment so impaired that he or
4 she is incapable of realizing and making a rational decision with
5 respect to his or her need for treatment and presents a likelihood of
6 serious harm to himself or herself, to any other person, or to
7 property.

8 (14) "Incompetent person" means a person who has been adjudged
9 incompetent by the superior court.

10 (15) "Intoxicated person" means a person whose mental or physical
11 functioning is substantially impaired as a result of the use of alcohol
12 or other psychoactive chemicals.

13 (16) "Licensed physician" means a person licensed to practice
14 medicine or osteopathic medicine and surgery in the state of
15 Washington.

16 (17) "Likelihood of serious harm" means either: (a) A substantial
17 risk that physical harm will be inflicted by an individual upon his or
18 her own person, as evidenced by threats or attempts to commit suicide
19 or inflict physical harm on one's self; (b) a substantial risk that
20 physical harm will be inflicted by an individual upon another, as
21 evidenced by behavior that has caused the harm or that places another
22 person or persons in reasonable fear of sustaining the harm; or (c) a
23 substantial risk that physical harm will be inflicted by an individual
24 upon the property of others, as evidenced by behavior that has caused
25 substantial loss or damage to the property of others.

26 (18) "Medical necessity" for inpatient care of a minor means a
27 requested certified inpatient service that is reasonably calculated to:
28 (a) Diagnose, arrest, or alleviate a chemical dependency; or (b)
29 prevent the worsening of chemical dependency conditions that endanger
30 life or cause suffering and pain, or result in illness or infirmity or
31 threaten to cause or aggravate a handicap, or cause physical deformity
32 or malfunction, and there is no adequate less restrictive alternative
33 available.

34 (19) "Minor" means a person less than eighteen years of age.

35 (~~(19)~~) (20) "Parent" means the parent or parents who have the
36 legal right to custody of the child. Parent includes custodian or
37 guardian.

38 (~~(20)~~) (21) "Peace officer" means a law enforcement official of
39 a public agency or governmental unit, and includes persons specifically

1 given peace officer powers by any state law, local ordinance, or
2 judicial order of appointment.

3 ~~((21))~~ (22) "Person" means an individual, including a minor.

4 ~~((22))~~ (23) "Professional person in charge" or "professional
5 person" means a physician or chemical dependency counselor as defined
6 in rule by the department, who is empowered by a certified treatment
7 program with authority to make assessment, admission, continuing care,
8 and discharge decisions on behalf of the certified program.

9 (24) "Secretary" means the secretary of the department of social
10 and health services.

11 ~~((23))~~ (25) "Treatment" means the broad range of emergency,
12 detoxification, residential, and outpatient services and care,
13 including diagnostic evaluation, chemical dependency education and
14 counseling, medical, psychiatric, psychological, and social service
15 care, vocational rehabilitation and career counseling, which may be
16 extended to alcoholics and other drug addicts and their families,
17 persons incapacitated by alcohol or other psychoactive chemicals, and
18 intoxicated persons.

19 ~~((24))~~ (26) "Treatment program" means an organization,
20 institution, or corporation, public or private, engaged in the care,
21 treatment, or rehabilitation of alcoholics or other drug addicts.

22 PART VI - VOLUNTARY CHEMICAL DEPENDENCY OUTPATIENT TREATMENT

23 **Sec. 19.** RCW 70.96A.095 and 1996 c 133 s 34 are each amended to
24 read as follows:

25 ~~((1))~~ Any person thirteen years of age or older may give consent
26 for himself or herself to the furnishing of outpatient treatment by a
27 chemical dependency treatment program certified by the department.
28 ~~((Consent of the parent of a person less than eighteen years of age for~~
29 ~~inpatient treatment is necessary to authorize the care unless the child~~
30 ~~meets the definition of a child in need of services in RCW~~
31 ~~13.32A.030(4)(c), as determined by the department.))~~ Parental
32 authorization is required for any treatment of a minor under the age of
33 thirteen. ~~((The parent of a minor is not liable for payment of care~~
34 ~~for such persons pursuant to this chapter, unless they have joined in~~
35 ~~the consent to the treatment.~~

36 ~~(2) The parent of any minor child may apply to a certified~~
37 ~~treatment program for the admission of his or her minor child for~~

1 purposes authorized in this chapter. The consent of the minor child
2 shall not be required for the application or admission. The certified
3 treatment program shall accept the application and evaluate the child
4 for admission. The ability of a parent to apply to a certified
5 treatment program for the admission of his or her minor child does not
6 create a right to obtain or benefit from any funds or resources of the
7 state. However, the state may provide services for indigent minors to
8 the extent that funds are available therefor.

9 (3) Any provider of outpatient treatment who provides outpatient
10 treatment to a minor thirteen years of age or older shall provide
11 notice of the minor's request for treatment to the minor's parents if:
12 (a) The minor signs a written consent authorizing the disclosure; or
13 (b) the treatment program director determines that the minor lacks
14 capacity to make a rational choice regarding consenting to disclosure.
15 The notice shall be made within seven days of the request for
16 treatment, excluding Saturdays, Sundays, and holidays, and shall
17 contain the name, location, and telephone number of the facility
18 providing treatment, and the name of a professional person on the staff
19 of the facility providing treatment who is designated to discuss the
20 minor's need for treatment with the parent.))

21 NEW SECTION. **Sec. 20.** A new section is added to chapter 70.96A
22 RCW to read as follows:

23 Any provider of outpatient treatment who provides outpatient
24 treatment to a minor thirteen years of age or older shall provide
25 notice of the minor's request for treatment to the minor's parents if:
26 (1) The minor signs a written consent authorizing the disclosure; or
27 (2) the treatment program director determines that the minor lacks
28 capacity to make a rational choice regarding consenting to disclosure.
29 The notice shall be made within seven days of the request for
30 treatment, excluding Saturdays, Sundays, and holidays, and shall
31 contain the name, location, and telephone number of the facility
32 providing treatment, and the name of a professional person on the staff
33 of the facility providing treatment who is designated to discuss the
34 minor's need for treatment with the parent.

35 **PART VII - VOLUNTARY CHEMICAL DEPENDENCY INPATIENT TREATMENT**

1 NEW SECTION. **Sec. 21.** A new section is added to chapter 70.96A
2 RCW to read as follows:

3 Parental consent is required for inpatient chemical dependency
4 treatment of a minor, unless the child meets the definition of a child
5 in need of services in RCW 13.32A.030(4)(c) as determined by the
6 department: PROVIDED, That parental consent is required for any
7 treatment of a minor under the age of thirteen.

8 This section does not apply to petitions filed under this chapter.

9 NEW SECTION. **Sec. 22.** A new section is added to chapter 70.96A
10 RCW to read as follows:

11 (1) The parent of a minor is not liable for payment of inpatient or
12 outpatient chemical dependency treatment unless the parent has joined
13 in the consent to the treatment.

14 (2) The ability of a parent to bring his or her minor child to a
15 certified treatment program for evaluation and treatment does not
16 create a right to obtain or benefit from any funds or resources of the
17 state. The state may provide services for indigent minors to the
18 extent that funds are available.

19 **PART VIII - PARENT-INITIATED CHEMICAL DEPENDENCY TREATMENT**

20 NEW SECTION. **Sec. 23.** A new section is added to chapter 70.96A
21 RCW to read as follows:

22 (1) A parent may bring, or authorize the bringing of, his or her
23 minor child to a certified treatment program and request that a
24 chemical dependency assessment be conducted by a professional person to
25 determine whether the minor is chemically dependent and in need of
26 inpatient treatment.

27 (2) The consent of the minor is not required for admission,
28 evaluation, and treatment if the parent brings the minor to the
29 program.

30 (3) An appropriately trained professional person may evaluate
31 whether the minor is chemically dependent. The evaluation shall be
32 completed within twenty-four hours of the time the minor was brought to
33 the program, unless the professional person determines that the
34 condition of the minor necessitates additional time for evaluation. In
35 no event shall a minor be held longer than seventy-two hours for
36 evaluation without being admitted or released. If, in the judgment of

1 the professional person, it is determined it is a medical necessity for
2 the minor to receive inpatient treatment, the minor may be admitted.
3 Prior to admission, the facility shall limit treatment to that which
4 the professional person determines is medically necessary to stabilize
5 the minor's condition. Within twenty-four hours of the admission the
6 professional person shall notify the department of the admission.

7 (4) No provider is obligated to provide treatment to a minor under
8 the provisions of this section. No provider may admit a minor to
9 treatment under this section unless it is medically necessary.

10 (5) No minor receiving inpatient treatment under this section may
11 be discharged from the program based solely on his or her request.

12 (6) Any minor admitted to inpatient treatment under this section
13 shall be discharged immediately from inpatient treatment upon written
14 request of the parent.

15 (7) At the time the minor is admitted, but not later than seventy-
16 two hours after the minor is brought to the facility, the facility
17 shall provide the minor with written notice, in a form prescribed by
18 the department, of the department's duty to review the admission under
19 RCW 70.96A.097 and the minor's right to petition for judicial review
20 under section 26 of this act.

21 **Sec. 24.** RCW 70.96A.097 and 1995 c 312 s 48 are each amended to
22 read as follows:

23 ~~(1) ((The admission of any child under RCW 70.96A.095 may be~~
24 ~~reviewed by the county designated chemical dependency specialist~~
25 ~~between fifteen and thirty days following admission. The county-~~
26 ~~designated chemical dependency specialist may undertake the review on~~
27 ~~his or her own initiative and may seek reimbursement from the parents,~~
28 ~~their insurance, or medicaid for the expense of the review.~~

29 ~~(2))~~ The department shall ensure that, for any minor admitted to
30 inpatient treatment under section 23 of this act, a review is conducted
31 ((no later than sixty days)) by a physician or chemical dependency
32 counselor, as defined in rule by the department, who is employed by the
33 department or an agency under contract with the department and who
34 neither has a financial interest in continued inpatient treatment of
35 the minor nor is affiliated with the program providing the treatment.
36 The physician or chemical dependency counselor shall conduct the review
37 not less than seven nor more than fourteen days following ((admission))
38 the date the minor was brought to the facility under section 23(1) of

1 this act to determine whether it is ((medically appropriate)) a medical
2 necessity to continue the ((child's)) minor's treatment on an inpatient
3 basis. ((The department may, subject to available funds, contract with
4 a county for the conduct of the review conducted under this subsection
5 and may seek reimbursement from the parents, their insurance, or
6 medicaid for the expense of any review conducted by an agency under
7 contract.

8 ~~If the county-designated chemical dependency specialist determines~~
9 ~~that continued inpatient treatment of the child is no longer medically~~
10 ~~appropriate, the specialist shall notify the facility, the child, the~~
11 ~~child's parents, and the department of the finding within twenty-four~~
12 ~~hours of the determination.~~

13 ~~(3) For purposes of eligibility for medical assistance under~~
14 ~~chapter 74.09 RCW, children in inpatient mental health or chemical~~
15 ~~dependency treatment shall be considered to be part of their parent's~~
16 ~~or legal guardian's household, unless the child has been assessed by~~
17 ~~the department of social and health services or its designee as likely~~
18 ~~to require such treatment for at least ninety consecutive days, or is~~
19 ~~in out-of-home care in accordance with chapter 13.34 RCW, or the~~
20 ~~child's parents are found to not be exercising responsibility for care~~
21 ~~and control of the child. Payment for such care by the department of~~
22 ~~social and health services shall be made only in accordance with rules,~~
23 ~~guidelines, and clinical criteria applicable to inpatient treatment of~~
24 ~~minors established by the department.)~~

25 (2) In making a determination under subsection (1) of this section,
26 the department shall consider the opinion of the treatment provider,
27 the safety of the minor, the likelihood the minor's chemical dependency
28 recovery will deteriorate if released from inpatient treatment. The
29 department shall consult with the parent in advance of making its
30 determination.

31 (3) If, after the review conducted by the department under this
32 section, the department determines it is no longer a medical necessity
33 for a minor to receive inpatient treatment, the department shall
34 immediately notify the parents and the professional person in charge.
35 The professional person in charge shall release the minor to the
36 parents within twenty-four hours of receiving notice. If the
37 professional person in charge and the parent believe that it is a
38 medical necessity for the minor to remain in inpatient treatment, the
39 minor shall be released to the parent on the third judicial day

1 following the department's determination in order to allow the parent
2 time to file an at-risk youth petition under chapter 13.32A RCW. If the
3 department determines it is a medical necessity for the minor to
4 receive outpatient treatment and the minor declines to obtain such
5 treatment, such refusal shall be grounds for the parent to file an at-
6 risk youth petition.

7 (4) The department may, subject to available funds, contract with
8 other governmental agencies for the conduct of the reviews conducted
9 under this section and may seek reimbursement from the parents, their
10 insurance, or medicaid for the expense of any review conducted by an
11 agency under contract.

12 (5) In addition to the review required under this section, the
13 department may periodically determine and redetermine the medical
14 necessity of treatment for purposes of payment under the medical
15 assistance program.

16 NEW SECTION. Sec. 25. A new section is added to chapter 70.96A
17 RCW to read as follows:

18 (1) A parent may bring, or authorize the bringing of, his or her
19 minor child to a provider of outpatient chemical dependency treatment
20 and request that an appropriately trained professional person examine
21 the minor to determine whether the minor has a chemical dependency and
22 is in need of outpatient treatment.

23 (2) The consent of the minor is not required for evaluation if the
24 parent brings the minor to the provider.

25 (3) The professional person in charge of the program may evaluate
26 whether the minor has a chemical dependency and is in need of
27 outpatient treatment.

28 NEW SECTION. Sec. 26. A new section is added to chapter 70.96A
29 RCW to read as follows:

30 Following the review conducted under RCW 70.96A.097, a minor child
31 may petition the superior court for his or her release from the
32 facility. The petition may be filed not sooner than five days
33 following the review. The court shall release the minor unless it
34 finds, upon a preponderance of the evidence, that it is a medical
35 necessity for the minor to remain at the facility.

1 NEW SECTION. **Sec. 27.** A new section is added to chapter 70.96A
2 RCW to read as follows:

3 If the minor is not released as a result of the petition filed
4 under section 26 of this act, he or she shall be released not later
5 than thirty days following the later of: (1) The date of the
6 department's determination under RCW 70.96A.097(3); or (2) the filing
7 of a petition for judicial review under section 26 of this act, unless
8 a professional person or the designated chemical dependency specialist
9 initiates proceedings under this chapter.

10 NEW SECTION. **Sec. 28.** A new section is added to chapter 70.96A
11 RCW to read as follows:

12 For purposes of eligibility for medical assistance under chapter
13 74.09 RCW, minors in inpatient chemical dependency treatment shall be
14 considered to be part of their parent's or legal guardian's household,
15 unless the minor has been assessed by the department or its designee as
16 likely to require such treatment for at least ninety consecutive days,
17 or is in out-of-home care in accordance with chapter 13.34 RCW, or the
18 parents are found to not be exercising responsibility for care and
19 control of the minor. Payment for such care by the department shall be
20 made only in accordance with rules, guidelines, and clinical criteria
21 applicable to inpatient treatment of minors established by the
22 department.

23 NEW SECTION. **Sec. 29.** It is the purpose of sections 23 and 25 of
24 this act to assure the ability of parents to exercise reasonable,
25 compassionate care and control of their minor children when there is a
26 medical necessity for treatment and without the requirement of filing
27 a petition under chapter 70.96A RCW.

28 NEW SECTION. **Sec. 30.** The department of social and health
29 services shall adopt rules defining "appropriately trained professional
30 person" for the purposes of conducting mental health and chemical
31 dependency evaluations under sections 13(3), 14(1), 23(3), and 25(1) of
32 this act.

33 **PART IX - MISCELLANEOUS**

1 **Sec. 31.** RCW 13.32A.250 and 1996 c 133 s 28 are each amended to
2 read as follows:

3 (1) In all child in need of services proceedings and at-risk youth
4 proceedings, the court shall verbally notify the parents and the child
5 of the possibility of a finding of contempt for failure to comply with
6 the terms of a court order entered pursuant to this chapter. Except as
7 otherwise provided in this section, the court shall treat the parents
8 and the child equally for the purposes of applying contempt of court
9 processes and penalties under this section.

10 (2) Failure by a party to comply with an order entered under this
11 chapter is a contempt of court (~~(as provided in chapter 7.21 RCW,~~
12 ~~subject to the limitations of subsection (3) of this section)) and may
13 be filed as either remedial sanctions under RCW 7.21.030 or punitive
14 sanctions under RCW 7.21.040.~~

15 (3) The court may, at each hearing on contempt, impose a fine of up
16 to one hundred dollars and confinement for up to seven days, or both
17 for contempt of court under this section.

18 (4) A child placed in confinement for contempt under this section
19 shall be placed in confinement only in a secure juvenile detention
20 facility operated by or pursuant to a contract with a county.

21 (5) A motion for (~~contempt~~) remedial sanctions may be made by a
22 parent, a child, juvenile court personnel, or by any public agency,
23 organization, or person having custody of the child under a court order
24 adopted pursuant to this chapter. A motion for punitive sanctions may
25 be made by a prosecuting attorney, however, filing of a complaint or
26 information by a prosecuting attorney is not required.

27 (6) Whenever the court finds probable cause to believe, based upon
28 consideration of a motion for contempt and the information set forth in
29 a supporting declaration, that a child has violated a placement order
30 entered under this chapter, the court may issue an order directing law
31 enforcement to pick up and take the child to detention. The order may
32 be entered ex parte without prior notice to the child or other parties.
33 Following the child's admission to detention, a detention review
34 hearing must be held in accordance with RCW 13.32A.065.

35 **Sec. 32.** RCW 28A.225.030 and 1996 c 134 s 3 are each amended to
36 read as follows:

37 (1) If a child is required to attend school under RCW 28A.225.010
38 and if the actions taken by a school district under RCW 28A.225.020 are

1 not successful in substantially reducing an enrolled student's absences
2 from public school, not later than the seventh unexcused absence by a
3 child within any month during the current school year or not later than
4 the tenth unexcused absence during the current school year the school
5 district shall file a petition and supporting affidavit for a civil
6 action with the juvenile court alleging a violation of RCW 28A.225.010:
7 (a) By the parent; (b) by the child; or (c) by the parent and the
8 child. Except as provided in this subsection, no additional documents
9 need be filed with the petition. The petition may be served on the
10 child or parent in any manner reasonably likely to provide adequate
11 notice of the filing.

12 (2) The district shall not later than the fifth unexcused absence
13 in a month:

14 (a) Enter into an agreement with a student and parent that
15 establishes school attendance requirements;

16 (b) Refer a student to a community truancy board as defined in RCW
17 28A.225.025. The community truancy board shall enter into an agreement
18 with the student and parent that establishes school attendance
19 requirements and take other appropriate actions to reduce the child's
20 absences; or

21 (c) File a petition under subsection (1) of this section.

22 (3) The petition may be filed by a school district employee who is
23 not an attorney.

24 (4) If the school district fails to file a petition under this
25 section, the parent of a child with five or more unexcused absences in
26 any month during the current school year or upon the tenth unexcused
27 absence during the current school year may file a petition with the
28 juvenile court alleging a violation of RCW 28A.225.010.

29 NEW SECTION. **Sec. 33.** Part headings used in this act do not
30 constitute any part of the law.

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