

HOUSE BILL ANALYSIS

HB 2762

Title: An act relating to departmental and judicial review of decisions regarding foster children.

Brief Description: Providing for departmental and judicial review of decisions regarding foster children.

Sponsors: Representatives Tokuda, Boldt, Pflug, Kenney and Haigh.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: January 31, 2000.

Bill Analysis Prepared by: Deborah Frazier (786-7152).

Background: Public assistance applicants or recipients have the right to file a grievance with the Department of Social and Health Services and participate in an adjudicative proceeding governed by the Administrative Procedure Act. Decisions unfavorable to the public assistance applicant, or recipient from the adjudicative proceeding, may be appealed to a judicial review.

Foster parents have access to the administrative hearing process in matters related to payment disputes, findings of abuse and neglect, and licensing disputes. Foster parents currently do not have access to this process for disputes related to the service plan for the child. Foster parents also have the right to participate in dependency reviews in superior court.

Federal law requires that participants in programs funded by Title IV-B (Child Welfare Services) and Title IV-E (Foster Care, Adoption Assistance, Independent Living) of the Social Security Act, whose claims for benefits is denied or is not acted upon promptly, have the opportunity for a fair hearing.

Summary of Bill: House Bill 2762 extends the right to an adjudicative proceeding, and to judicial review to children, foster children, parents, foster parents and other authorized individuals responsible for the custody, care and control of children or foster children.

Appropriation: None.

Fiscal Note: Requested on January 24, 2000.

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