

# FINAL BILL REPORT

## SSB 6001

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### PARTIAL VETO

C 390 L 99

Synopsis as Enacted

**Brief Description:** Providing for the disclosure of information to the office of the family and children's ombudsman.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Long, Winsley and Rasmussen).

**Senate Committee on Human Services & Corrections**

**House Committee on Children & Family Services**

**Background:** The Office of the Family and Children's Ombudsman is housed within the Office of the Governor. Its purpose is to promote public awareness and understanding of family and children's services, identify system issues and responsibilities, and ensure compliance with the appropriate laws, rules, and regulations pertaining to family and children's services and the placement, supervision and treatment of children in the state's care or in state licensed facilities.

**Summary:** The ombudsman's duty to periodically review facilities and procedures of state institutions serving children is removed. Guardians ad litem may release confidential information to the ombudsman in family court, dependency and termination cases. Contracting agencies or service providers providing counseling, psychological, psychiatric or medical services relating to a juvenile may release relevant confidential information to the ombudsman.

Disclosure of privileged communication by the Attorney General is not a waiver of privilege. All communication by an ombudsman is privileged if done in good faith performance of duties. Employees of the ombudsman are not liable for good faith performance of their responsibilities.

The Department of Social and Health Services allows the ombudsman to privately communicate with any child or family receiving services, gives the ombudsman access to inspect and copy records necessary in an investigation and provides unrestricted access to the case and management information system (CAMIS). No discriminatory, disciplinary, or retaliatory action can be taken against an employee or contractor of the department for communication made or information given to the ombudsman unless it was given maliciously or in bad faith.

The ombudsman may receive information from a legislator who is assisting a constituent. The ombudsman must release information regarding a constituent if the constituent provides written consent. Confidential information regarding other persons is redacted and the legislator must maintain confidentiality. The legislator is notified when the constituent's case is ready to be closed.

The ombudsman may apply for grants with the approval of the legislative oversight committee.

**Votes on Final Passage:**

Senate	48	0	
House	95	0	(House amended)
Senate	44	0	(Senate concurred)

**Effective:** July 25, 1999

**Partial Veto Summary:** Sections 1 and 6 of the bill were vetoed. The ombudsman retains the duty to periodically review facilities and procedures of state institutions serving children. The provisions specifically authorizing the ombudsman to receive information from a legislator assisting a constituent and provide information to a legislator regarding a constituent's case were eliminated. The ombudsman is not given the power to subpoena records or documents in the possession or control of the Department of Social and Health Services.