

SENATE BILL REPORT

E2SSB 6152

As Passed Senate, February 14, 2000

Title: An act relating to the care, supervision, and treatment of children, developmentally disabled persons, and vulnerable adults.

Brief Description: Changing provisions relating to the care, supervision, and treatment of children, developmentally disabled persons, and vulnerable adults.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Stevens, Hochstatter, Swecker and Kohl-Welles).

Brief History:

Committee Activity: Human Services & Corrections: 1/28/2000, 2/3/2000 [DPS-WM].
Ways & Means: 2/7/2000, 2/8/2000 [DP2S].
Passed Senate, 2/14/2000, 48-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6152 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Sheahan, Stevens and Zarelli.

Staff: Joan K. Mell (786-7447)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 6152 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Brown, Vice Chair; Fairley, Honeyford, Kline, Kohl-Welles, Long, McDonald, Rasmussen, Roach, Rossi, B. Sheldon, Snyder, Spanel, Winsley, Wojahn and Zarelli.

Staff: Risa Sandler (786-7708)

Background: The Department of Social and Health Services recently disqualified 207 families from receiving support for child care payments. Child care payments were made for caregivers with criminal records. Some convictions were for rape and child abuse; the media reported 13 were registered sex offenders. The caregivers were not licensed providers, but were typically family members. State law exempts from licensing requirements family members, which includes step relatives and former spouses.

Summary of Bill: The Department of Social and Health Services (DSHS) must consider the criminal history of people to whom DSHS authorizes payment for the care of children or

vulnerable adults. It must consider a person's history for conviction of offenses against children or other persons, convictions for crimes relating to financial exploitation if the victim was a vulnerable adult, adjudications of child abuse in a civil action, the issuance of a protection order, disciplinary board final decisions, and subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision.

The department must have a background check performed on any exempt child care provider. The department must implement a waiver process and if an applicant is denied authorization to be a provider, this may be appealed in an administrative hearing. The department is immune for waiver decisions.

Foster parents and other child welfare workers may receive a 120-day permit for provisional employment after a state check has cleared while waiting for federal clearance. State and federal checks less than one year old may be recognized.

The provisions of the bill are null and void if funds are not appropriated.

Appropriation: None.

Fiscal Note: Requested on January 19, 2000.

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

Testimony For (Human Services & Corrections): Support was expressed to address risks created when persons with criminal histories are providing care to minors.

Testimony Against (Human Services & Corrections): None.

Testified (Human Services & Corrections): Bill Sellars, The Arc, CAC (pro); Barbara Stone, DSHS; Rachael Langen, DSHS, Economic Services.

Testimony For (Ways & Means): This bill will provide a great service for parents. The cost of one lawsuit makes up for the fiscal impact.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): PRO: Senator Stevens; Senator Kohl-Welles.