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SENATE BILL 5964

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State of Washington

57th Legislature

2001 Regular Session

By Senators Kohl-Welles, Hargrove, Long, Costa, Carlson, Franklin, Gardner, Rasmussen and Fraser

Read first time 02/09/2001. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to the office of the family and children's  
2 ombudsman; amending RCW 43.06A.030 and 43.06A.100; and making an  
3 appropriation.

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

5 **Sec. 1.** RCW 43.06A.030 and 1996 c 131 s 4 are each amended to read  
6 as follows:

7 The ombudsman shall perform the following duties:

8 (1) Provide information as appropriate on the rights and  
9 responsibilities of individuals receiving family and children's  
10 services, and on the procedures for providing these services;

11 (2) Investigate, upon his or her own initiative or upon receipt of  
12 a complaint, an administrative act alleged to be contrary to law, rule,  
13 or policy, imposed without an adequate statement of reason, or based on  
14 irrelevant, immaterial, or erroneous grounds; however, the ombudsman  
15 may decline to investigate any complaint as provided by rules adopted  
16 under this chapter;

17 (3) Monitor the procedures as established, implemented, and  
18 practiced by the department to carry out its responsibilities in  
19 delivering family and children's services with a view toward

1 appropriate preservation of families and ensuring children's health and  
2 safety;

3 (4) (~~Review periodically the facilities and procedures of state~~  
4 ~~institutions serving children, and state licensed facilities or~~  
5 ~~residences~~) Monitor the procedures as established, implemented, and  
6 practiced by state agencies to protect children's health and safety in  
7 state-operated institutions and facilities, and in facilities and  
8 residences certified and licensed by the state, including licensed  
9 child-care facilities and residences;

10 (5) Recommend changes in the procedures for addressing the needs of  
11 families and children;

12 (6) Submit annually to the committee and to the governor by  
13 November 1 a report analyzing the work of the office including  
14 recommendations;

15 (7) Grant the committee access to all relevant records in the  
16 possession of the ombudsman unless prohibited by law; and

17 (8) Adopt rules necessary to implement this chapter.

18 **Sec. 2.** RCW 43.06A.100 and 1999 c 390 s 5 are each amended to read  
19 as follows:

20 The department of social and health services shall:

21 (1) Allow the ombudsman or the ombudsman's designee to communicate  
22 privately with any child in the custody of the department for the  
23 purposes of carrying out its duties under this chapter;

24 (2) Permit the ombudsman or the ombudsman's designee physical  
25 access to state institutions serving children, and state licensed  
26 facilities or residences for the purpose of carrying out its duties  
27 under this chapter;

28 (3) Upon the ombudsman's request, grant the ombudsman or the  
29 ombudsman's designee the right to access, inspect, and copy all  
30 relevant information, records, or documents in the possession or  
31 control of the department that the ombudsman considers necessary in an  
32 investigation; (~~and~~)

33 (4) Grant the office of the family and children's ombudsman  
34 unrestricted on-line access to the case and management information  
35 system (CAMIS) for the purpose of carrying out its duties under this  
36 chapter; and

37 (5) Post in every children's administration office and in each  
38 institution and facility that serves children and is operated,

1 certified, or licensed by the department a notice providing the  
2 ombudsman's toll-free number and a brief description of the services  
3 provided by the ombudsman. The notice shall be posted in a conspicuous  
4 location. The form of notice must be approved by the ombudsman. This  
5 information must also be distributed to foster parents and to children  
6 age twelve or older in the custody of the department upon entering an  
7 institution operated by the department, or a facility or residence  
8 licensed by the department.

9       NEW SECTION.   **Sec. 3.** The sum of one hundred seventy-five thousand  
10 dollars, or as much thereof as may be necessary, is appropriated from  
11 the general fund to the office of the family and children's ombudsman  
12 for the fiscal year ending June 30, 2002, to carry out section 1 of  
13 this act. The ombudsman shall also develop and provide the legislature  
14 with an implementation plan by December 15, 2001.

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