

FINAL BILL REPORT

ESHB 2554

C 183 L 04

Synopsis as Enacted

Brief Description: Authorizing collection of support payments for children with developmental disabilities in out-of-home care.

Sponsors: By House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Kagi, Lovick, Delvin, Pettigrew, Rockefeller and Wood; by request of Department of Social and Health Services).

House Committee on Juvenile Justice & Family Law

Background:

A parent of a child in foster care may be ordered to pay child support for the care of the child. The support may be established by court order or administratively by the Department of Social and Health Services (DSHS) in the absence of a court order.

The DSHS is statutorily prohibited from collecting child support for children who have been determined to be eligible for services through the Division of Developmental Disabilities. The statutes prohibit collection actions against parents of children who are eligible for admission to, or have been discharged from, a residential habilitation center. For the period July 1, 1993, through June 30, 1995, a collection action was authorized to be taken against parents of children with developmental disabilities placed in community-based residential care

Summary:

The DSHS is required to refer a case to the Division of Child Support whenever state or federal funds are expended for the care and maintenance of a child placed into care as a result of a dependency or termination action, including a child with a developmental disability, unless the DSHS finds that there is good cause not to pursue collection of child support against the parent or parents of the child.

The Act statutorily clarifies that the DSHS may administratively establish an order of child support in a dependency or termination of parental rights action.

The DSHS may institute a collection action against parents of children eligible for admission to, or who have been discharged from, a residential habilitation center if the child is placed into care as a result of a dependency or termination action. Expired language authorizing the DSHS to take collection action against parents of children with developmental disabilities who are placed in community-based residential care is removed.

Votes on Final Passage:

House 97 0

Senate 49 0

Effective: July 1, 2004