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**Juvenile Justice & Family Law  
Committee**

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**HB 2554**

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

**Sponsors:** Representatives Dickerson, Kagi, Lovick, Delvin, Pettigrew, Rockefeller and Wood; by request of Department of Social and Health Services.

**Brief Summary of Bill**

- Authorizes the Department of Social and Health Services (DSHS) to seek child support from parents of a child placed in foster care, including a child with a developmental disability.
- Statutorily authorizes the DSHS to administratively establish child support for a child in a dependency or termination action, in the absence of a court order.

**Hearing Date:** 1/28/04

**Staff:** Sonja Hallum (786-7092).

**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 Department of Developmental Disabilities. The statutes prohibits 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. The amount of support that the DSHS was allowed to collect from the parents could not exceed one-half of the parents' support obligation accrued while the child was in community-based residential care.

**Summary of Bill:**

The bill statutorily clarifies that the DSHS may administratively establish an order of child support in an action brought under chapter 13.34 RCW which pertains to actions involving dependencies and termination of the parent-child relationship.

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, 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 bill removes the prohibition against the DSHS instituting a collection action against parents of children eligible for admission to, or who have been discharged from, a residential habilitation center. 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.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/16/04.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.