

SENATE BILL REPORT

SB 5474

As Reported By Senate Committee On:
Children & Family Services & Corrections, February 28, 2003

Title: An act relating to improving services for kinship caregivers.

Brief Description: Creating a kinship caregiver's authorization affidavit.

Sponsors: Senators Regala, Stevens, McAuliffe, Carlson, Kohl-Welles, Winsley and Rasmussen.

Brief History:

Committee Activity: Children & Family Services & Corrections: 2/21/03, 2/28/03 [DPS].

SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5474 be substituted therefor, and the substitute bill do pass.

Signed by Senators Stevens, Chair; Parlette, Vice Chair; Carlson, Deccio, Hargrove, McAuliffe and Regala.

Staff: Tony Rugel (786-7754)

Background: A task force for kinship care was convened and met in the summer and fall of 2002. The task force reviewed various options and concerns regarding kinship care. One of these concerns is that children being raised by kin face barriers to medical care and school attendance because their kin cannot verify that they are the primary caregivers.

Summary of Substitute Bill: An affidavit lasting six months is created that allows a kinship caregiver to enroll a minor in school, as well as authorize dental and emergent medical treatment for the minor. At the end of six months, the kinship caregiver must choose among the following: return the child to the parents, notify the department that the parents are not available, or petition for permanent legal custody. If a parent is not available to sign the affidavit, law enforcement must be notified. In addition, civil and criminal liability is limited for those who act in good faith in relying on the affidavit when providing dental or medical care to the minor.

Substitute Bill Compared to Original Bill: The affidavit is valid for only six months. At the expiration of the affidavit, the kinship caregiver must choose among the following: return the child to the parents, notify the department that the parents are not available, or petition for permanent legal custody. The affidavit is for emergent medical care. If the parents are not available to sign the affidavit, then law enforcement must be notified.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Testimony was given in general support for providing a method to get kids enrolled in school and get them medical and dental care when possible.

Testimony Against: None.

Testified: PRO: Darlene Flowers, Foster Parents Assoc. of WA State; Kristie Lund, Kinship Caregiver; Rick Bartholomew, WA State Bar Assoc.; Janet Helson, Columbia Legal Services; Laverne Lamoureux, DSHS; Edith Owen, Pierce Co. Relatives Raising Children; Laurie Lippold, Children's Home Society.