
HOUSE BILL 2988

State of Washington 58th Legislature 2004 Regular Session

By Representatives Boldt, Clements, Pearson, Bailey and McMahan

Read first time 01/26/2004. Referred to Committee on Children & Family Services.

1 AN ACT Relating to foster parents' rights; and adding new sections
2 to chapter 74.13 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
5 to read as follows:

6 No department employee may retaliate against a foster parent or in
7 any other manner discriminate against any foster parent because:

8 (1) The foster parent made a complaint with the office of family
9 and children's ombudsman, the attorney general, law enforcement
10 agencies, or the department, provided information, or otherwise
11 cooperated with the investigation of such a complaint;

12 (2) The foster parent has caused to be instituted any proceedings
13 under or related to Title 13 RCW;

14 (3) The foster parent has testified or is about to testify in any
15 proceedings under or related to Title 13 RCW;

16 (4) The foster parent has advocated for services on behalf of the
17 foster child;

18 (5) The foster parent has sought to adopt a foster child in the
19 foster parent's care; or

1 (6) The foster parent has discussed or consulted with anyone
2 concerning the foster parent's rights under this chapter or chapter
3 74.15 or 13.34 RCW.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
5 to read as follows:

6 (1) When the secretary has reasonable cause to believe that an
7 employee has knowingly violated the conflict of interest provisions in
8 RCW 74.13.530, notwithstanding any rule adopted under chapter 41.06
9 RCW, the secretary shall immediately suspend the employee.

10 (2) The secretary shall immediately institute proceedings to
11 terminate the employment of any person who is found by the department,
12 based upon a preponderance of the evidence, to have knowingly violated
13 the conflict of interest provisions in RCW 74.13.530.

14 (3) When the secretary has reasonable cause to believe that the
15 employee of a contractor has knowingly violated the conflict of
16 interest provisions in RCW 74.13.530, the secretary shall require the
17 employee of a contractor to be immediately removed from any employment
18 position which would permit the employee to make or influence placement
19 decisions.

20 (4) The secretary shall disqualify for employment with a contractor
21 in any position which would permit the employee to make or influence
22 placement decisions, any person who is found by the department, based
23 upon a preponderance of evidence, to have knowingly violated the
24 conflict of interest provisions of RCW 74.13.530.

25 (5) The secretary, when considering the renewal of a contract with
26 a contractor who has taken action under subsection (3) or (4) of this
27 section, shall require the contractor to demonstrate that there has
28 been significant progress made in reducing the likelihood that the
29 contractor's employees would knowingly violate the conflict of interest
30 provisions in RCW 74.13.530. The secretary shall not renew a contract
31 unless he or she determines that significant progress has been made.

32 (6) For purposes of RCW 50.20.060, a person terminated under this
33 section shall be considered discharged for misconduct.

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