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SENATE BILL 5666

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State of Washington

59th Legislature

2005 Regular Session

By Senators Stevens, Hargrove, McAuliffe, Carrell, Brandland, Delvin, Roach, Rasmussen and Kohl-Welles

Read first time 02/01/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to information sharing in child dependency cases;  
2 amending RCW 13.34.350; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that to aid in the  
5 prevention of tragic deaths of children in the child welfare system,  
6 those responsible for making placement decisions in cases of child  
7 abuse or neglect should have the relevant evidence available to them to  
8 aid them in making placement decisions that will best protect the  
9 safety and welfare of the child.

10 **Sec. 2.** RCW 13.34.350 and 2001 c 52 s 2 are each amended to read  
11 as follows:

12 (1) In order to facilitate communication of information needed to  
13 serve the best interest of any child who is the subject of a dependency  
14 case filed under this chapter, the department of social and health  
15 services shall, consistent with state and federal law governing the  
16 release of confidential information, establish guidelines, and shall  
17 use those guidelines for the facilitation of communication of relevant

1 information among divisions, providers, the courts, the family,  
2 caregivers, caseworkers, and others.

3 (2) Notwithstanding subsection (1) of this section, in any case  
4 with findings of child abuse or neglect, the following information or  
5 documents must be made available to the persons listed in subsection  
6 (3) of this section, when applicable, before the implementation of any  
7 placement decision of a child, including in-home placement:

8 (a) Health care information regarding the child, including but not  
9 limited to physician or other medical professional records, reports,  
10 notes, or letters regarding the child;

11 (b) Substance abuse treatment records if treatment is ordered by  
12 the court or a placement agreement, including a voluntary placement  
13 agreement;

14 (c) Mental health treatment records if treatment is ordered by the  
15 court or a placement agreement, including a voluntary placement  
16 agreement;

17 (d) Other information or documents as required by the department.

18 (3) The information or documents listed in subsection (2) of this  
19 section must be made available, in their entirety, to the following  
20 persons, when applicable, before the implementation of any placement  
21 decision of a child, including in-home placement:

22 (a) Any caseworker assigned to the case;

23 (b) Any supervisor of a caseworker assigned to the case;

24 (c) Any court hearing a matter relating to the dependency of the  
25 child;

26 (d) Any member of a child protection team assigned to the case;

27 (e) Any guardian ad litem assigned to the case;

28 (f) A parent, guardian, or custodian of the child; and

29 (g) A parent's, guardian's, or custodian's counsel.

30 (4) A copy of the original information or document listed in  
31 subsection (2) of this section must be provided to every party referred  
32 to in subsection (3) of this section.

33 (5) Any sharing of information or documents under this section  
34 shall be consistent with state and federal law governing the release of  
35 confidential information.

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