

**HB 2835** - S COMM AMD

By Committee on Human Services & Corrections

OUT OF ORDER 03/07/2008

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the safety of  
4 children in foster care depends upon receipt of comprehensive,  
5 accurate, and timely information about the background of prospective  
6 foster parents. It is vital to ensure that all relevant information  
7 about prospective foster parents is received and carefully reviewed.  
8 The legislature believes that some foster parents may have previously  
9 resided in other countries and that it is important to determine  
10 whether those countries have background information on the prospective  
11 foster parents that might impact the safety of children in their care.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.44 RCW  
13 to read as follows:

14 (1) During an emergency situation when a child must be placed in  
15 out-of-home care due to the absence of appropriate parents or  
16 custodians, the department shall request a federal name-based criminal  
17 history record check of each adult residing in the home of the  
18 potential placement resource. Upon receipt of the results of the name-  
19 based check, the department shall provide a complete set of each adult  
20 resident's fingerprints to the Washington state patrol for submission  
21 to the federal bureau of investigation within fourteen calendar days  
22 from the date the name search was conducted. The child shall be  
23 removed from the home immediately if any adult resident fails to  
24 provide fingerprints and written permission to perform a federal  
25 criminal history record check when requested.

26 (2) When placement of a child in a home is denied as a result of a  
27 name-based criminal history record check of a resident, and the  
28 resident contests that denial, the resident shall, within fifteen  
29 calendar days, submit to the department a complete set of the

1 resident's fingerprints with written permission allowing the department  
2 to forward the fingerprints to the Washington state patrol for  
3 submission to the federal bureau of investigation.

4 (3) The Washington state patrol and the federal bureau of  
5 investigation may each charge a reasonable fee for processing a  
6 fingerprint-based criminal history record check.

7 (4) As used in this section, "emergency placement" refers to those  
8 limited instances when the department is placing a child in the home of  
9 private individuals, including neighbors, friends, or relatives, as a  
10 result of a sudden unavailability of the child's primary caretaker.

11 **Sec. 3.** RCW 74.15.040 and 1982 c 118 s 7 are each amended to read  
12 as follows:

13 An agency seeking to accept and serve children, developmentally  
14 disabled persons, or expectant mothers as a foster-family home shall  
15 make application for license in such form and substance as required by  
16 the department. The department shall maintain a list of applicants  
17 through which placement may be undertaken. However, agencies and the  
18 department shall not place a child, developmentally disabled person, or  
19 expectant mother in a home until the home is licensed. The department  
20 shall inquire whether an applicant has previously resided in any other  
21 state or foreign country and shall make best efforts to ascertain  
22 whether the applicant has ever been the subject of a conviction or  
23 civil finding outside of the state of Washington that bears upon the  
24 fitness of the applicant to serve as a foster-family home. Foster-  
25 family homes shall be inspected prior to licensure, except that  
26 inspection by the department is not required if the foster-family home  
27 is under the supervision of a licensed agency upon certification to the  
28 department by the licensed agency that such homes meet the requirements  
29 for foster homes as adopted pursuant to chapter 74.15 RCW and RCW  
30 74.13.031."

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1        On page 1, line 3 of the title, after "situation;" strike the  
2 remainder of the title and insert "amending RCW 74.15.040; adding a new  
3 section to chapter 26.44 RCW; and creating a new section."

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