

HOUSE BILL REPORT

HB 1377

As Passed Legislature

Title: An act relating to the placement of children.

Brief Description: Changing provisions affecting the placement of children.

Sponsors: By Representatives Pettigrew, Hinkle, Walsh, Haler, Kagi, Appleton, Warnick and Roberts; by request of Department of Social and Health Services.

Brief History:

Committee Activity:

Early Learning & Children's Services: 2/1/07, 2/2/07 [DP].

Floor Activity:

Passed House: 2/23/07, 94-0.

Senate Amended.

Passed Senate: 4/10/07, 44-0.

House Refuses to Concur.

Senate Amended.

Passed Senate: 4/19/07, 40-0.

House Concurred.

Passed House: 4/19/07, 98-0.

Passed Legislature.

Brief Summary of Bill

- Expands the definition of *relative* for the purpose of court-ordered placement of a child in the custody of the Department of Social and Health Services (DSHS).
- Subject to court-review, authorizes placement of a child who is in the custody of the DSHS with a non-relative who meets certain criteria.

HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

Majority Report: Do pass. Signed by 6 members: Representatives Kagi, Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Appleton, Hinkle and Pettigrew.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Sydney Forrester (786-7120).

Background:

The Department of Social and Health Services (DSHS) is authorized by law to remove a child from his or her home if the child has been abandoned, abused, or neglected by a parent or guardian. When children are removed from home and taken into the custody of the DSHS, alternative care arrangements for the child must be made. These arrangements are made pursuant to court hearings which result in disposition orders governing the child's placement while in the custody of the DSHS.

The Children's Administration within the DSHS places approximately 7,600 children in out-of-home care each year. When determining the best placement for a child, state and federal laws include a preference for placing the child with a relative who is willing and available to care for and meet any special needs of the child. State law allows some relatives to be an eligible placement option for a child without requiring the relative to be a licensed foster parent. These relatives include blood and half-blood relatives; first cousins; nephews and nieces; grandparents; stepparents; and stepbrothers and stepsisters. Placement of a child with a relative who is not a licensed foster parent is commonly known as a kinship care placement.

Summary of Bill:

Kinship care placement options are expanded to include a child's second cousins and the relatives of any half-siblings of the child. Placement of a child with such a relative also is conditioned on the relative being willing and available to care for and meet any special needs of the child.

Subject to court review and a finding that such a placement is in the child's best interests, a child who has been removed from his or her own home may be placed also in the home of another suitable person:

- (1) with whom the child or child's family has a preexisting relationship;
- (2) who has completed the required criminal background check; and
- (3) who otherwise appears to be suitable and competent to care for the child.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill provides more options for children to be placed with families or others with whom the child has a significant relationship. It allows us to continue our efforts to

focus social work from the eyes of the child and will increase stability for children in out-of-home care. By allowing placement with a suitable person we can achieve the same purpose of supporting the child's community connections and connections with significant adults in the child's life. Expanding kinship and kinship-like placement options will also reduce the need for placing children out of the county when local foster placements aren't available.

Studies have documented the following benefits to children who are in kinship care: greater sense of family support; less trauma; fewer physical health and mental health problems; fewer behavioral problems; more contact or visitation with birth parents and siblings; fewer placement changes; more successful reunifications; and children are happier and more likely to be placed with siblings and closer to home.

This approach has been vetted with the Kinship Care Oversight Committee, the Children's Policy Council, and a variety of stakeholders. Kinship care givers can play an important role in helping biological parents remain connected to their children and engaged in the process of improving their capacity to parent their children. The family and friend connections also support better sharing of information to support the child.

The attachment a child has with others frequently extends beyond the child's biological family. This bill will help create and sustain more connections for children in out-of-home care. As this bill is implemented it will be important to ensure the child's safety is paramount, including checking-in directly with the child regarding the placement.

(Opposed) None.

Persons Testifying: Representative Pettigrew, prime sponsor; Laurie Lippold, Children's Home Society of Washington; Robert Wyman, Washington Defenders Association and The Defender Association; Cheryl Stephani, Department of Social and Health Services, Children's Administration; and Jim Theofelis, The Mockingbird Society.

Persons Signed In To Testify But Not Testifying: None.