

# SENATE BILL REPORT

## SB 5431

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As Reported by Senate Committee On:  
Human Services & Corrections, February 20, 2009

**Title:** An act relating to subsequent foster family home placements.

**Brief Description:** Regarding placement of a child returning to out-of-home care.

**Sponsors:** Senators Stevens, Hargrove, Regala, McAuliffe, Carrell, Brandland and King.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/06/09, 2/20/09 [DPS].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 5431 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Kauffman and McAuliffe.

**Staff:** Jennifer Strus (786-7316)

**Background:** A number of children who have been in foster care and return home are forced for many reasons to return to foster care. The Department of Social and Health Services (DSHS) tries to place the child in an appropriate foster home which is sometimes not a relative nor the home in which the child had been previously placed.

**Summary of Bill (Recommended Substitute):** When a child is returned to foster care, DSHS must give preference to placement of the child with a relative. If, after due diligence, DSHS cannot locate an appropriate relative or the relative is unavailable or inappropriate, DSHS must give preference to placement of the child with a foster family in which the child had been previously placed if the foster home is available and willing, is currently appropriate for the child's needs, and the placement is in the best interests of the child.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute):** Clarifies that for a child returning to foster care, placement in a former foster family, rather than just the immediately preceding foster home, is to be given preference by DSHS.

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*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.*

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill gives recognition to the fact that children in long-term foster care do form important bonds which can help them when their other connections break down. It makes sense that the foster family that knows the child best would be in the best position to help the child again. We should listen to the voice of the child and see if the child is OK with returning to the particular foster home. It will not do the child any good to return to a foster home that the child dislikes.

OTHER: The department would prefer adding language to clarify that there would be preference to place in a former foster home if the home is available and the foster parents are willing to receive the child.

**Persons Testifying:** PRO: Gary Malkasian, Foster Care Justice Alliance; Ryan Murrey, State CASA Association.

OTHER: Ken Nichols, Children's Administration; Sharonda Amamilo, Thurston OAC Parent Representation Program.