
SENATE BILL 5803

State of Washington

61st Legislature

2009 Regular Session

By Senators Shin, Kauffman, and Berkey

Read first time 02/02/09. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to the adoption support program; and amending RCW
2 74.13.109, 74.13.112, and 74.13.250.

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

4 **Sec. 1.** RCW 74.13.109 and 1990 c 285 s 7 are each amended to read
5 as follows:

6 (1) The secretary shall issue rules and regulations to assist in
7 the administration of the program of adoption support authorized by RCW
8 26.33.320 and 74.13.100 through 74.13.145.

9 (2) Disbursements from the appropriations available from the
10 general fund shall be made pursuant to such rules and regulations and
11 pursuant to agreements conforming thereto to be made by the secretary
12 with parents for the purpose of supporting the adoption of children in,
13 or likely to be placed in, foster homes or child caring institutions
14 who are found by the secretary to be difficult to place in adoption
15 because of physical or other reasons; including, but not limited to,
16 physical or mental handicap, emotional disturbance, ethnic background,
17 language, race, color, age, or sibling grouping.

18 (3) Such agreements shall meet the following criteria:

1 ~~((+1))~~ (a) The child whose adoption is to be supported pursuant to
2 such agreement shall be or have been a child hard to place in adoption.

3 ~~((+2))~~ (b) Such agreement must relate to a child who was or is
4 residing in a foster home or child-caring institution or a child who,
5 in the judgment of the secretary, is both eligible for, and likely to
6 be placed in, either a foster home or a child-caring institution.

7 ~~((+3))~~ (c) Such agreement shall provide that adoption support
8 shall not continue beyond the time that the adopted child reaches
9 eighteen years of age, becomes emancipated, dies, or otherwise ceases
10 to need support, provided that if the secretary shall find that
11 continuing dependency of such child after such child reaches eighteen
12 years of age warrants the continuation of support pursuant to RCW
13 26.33.320 and 74.13.100 through 74.13.145 the secretary may do so,
14 subject to all the provisions of RCW 26.33.320 and 74.13.100 through
15 74.13.145, including annual review of the amount of such support.

16 ~~((+4))~~ (d) Any prospective parent who is to be a party to such
17 agreement shall be a person who has the character, judgment, sense of
18 responsibility, and disposition which make him or her suitable as an
19 adoptive parent of such child.

20 (4) Six months before an adoption is finalized under chapter 26.33
21 RCW and RCW 74.13.100 through 74.13.145, the department must provide to
22 the prospective adoptive parents, in writing, information describing
23 the limits of the adoption support program including the following
24 information:

25 (a) The limits on monthly in-cash payments to adoptive families;

26 (b) The limits on the availability of mental health services and
27 the funds with which to pay for these services;

28 (c) How to access mental health services for children receiving
29 adoption support services;

30 (d) The limits on the one-time cash payments to adoptive families
31 for expenses related to their adopted children;

32 (e) That payment for residential or group care is not available for
33 adopted children under this chapter;

34 (f) The risks inherent in adopting a child from the department.

35 **Sec. 2.** RCW 74.13.112 and 1996 c 130 s 1 are each amended to read
36 as follows:

37 (1) Except as provided in subsection (3) of this section, the

1 factors to be considered by the secretary in setting the amount of any
2 payment or payments to be made pursuant to RCW 26.33.320 and 74.13.100
3 through 74.13.145 and in adjusting standards hereunder shall include:
4 The size of the family including the adoptive child, the usual living
5 expenses of the family, the special needs of any family member
6 including education needs, the family income, the family resources and
7 plan for savings, the medical and hospitalization needs of the family,
8 the family's means of purchasing or otherwise receiving such care, and
9 any other expenses likely to be needed by the child to be adopted. In
10 setting the amount of any initial payment made pursuant to RCW
11 26.33.320 and 74.13.100 through 74.13.145, the secretary is authorized
12 to establish maximum payment amounts that are reasonable and allow
13 permanency planning goals related to adoption of children under RCW
14 13.34.145 to be achieved at the earliest possible date.

15 (2) The amounts paid for the support of a child pursuant to RCW
16 26.33.320 and 74.13.100 through 74.13.145 may vary from family to
17 family and from year to year. Due to changes in economic circumstances
18 or the needs of the child such payments may be discontinued and later
19 resumed.

20 (3) The department may approve an exceptional cost plan for an
21 adoptive child under RCW 26.33.320 and 74.13.100 through 74.13.145 in
22 the event an adoptive child needs residential services and that need is
23 supported through documentation by a licensed mental health provider.
24 In no event may the exceptional cost plan amount exceed eight thousand
25 five hundred dollars per month per child. The department shall review
26 the exceptional cost plan every two years.

27 (4) Payments under RCW 26.33.320 and 74.13.100 through 74.13.145
28 may be continued by the secretary subject to review as provided for
29 herein, if such parent or parents having such child in their custody
30 establish their residence in another state or a foreign jurisdiction.

31 (5) In fixing the standards to govern the amount and character of
32 payments to be made for the support of adopted children pursuant to RCW
33 26.33.320 and 74.13.100 through 74.13.145 and before issuing rules and
34 regulations to carry out the provisions of RCW 26.33.320 and 74.13.100
35 through 74.13.145, the secretary shall consider the comments and
36 recommendations of the committee designated by the secretary to advise
37 him with respect to child welfare.

1 **Sec. 3.** RCW 74.13.250 and 1990 c 284 s 2 are each amended to read
2 as follows:

3 (1) Preservice training is recognized as a valuable tool to reduce
4 placement disruptions, the length of time children are in care, and
5 foster parent turnover rates. Preservice training also assists
6 potential foster parents in making their final decisions about foster
7 parenting and assists social service agencies in obtaining information
8 about whether to approve potential foster parents.

9 (2) Foster parent preservice training shall include information
10 about the potential impact of placement on foster children; social
11 service agency administrative processes; the requirements,
12 responsibilities, expectations, and skills needed to be a foster
13 parent; attachment, separation, and loss issues faced by birth parents,
14 foster children, and foster parents; child management and discipline;
15 birth family relationships; information on the limits of the adoption
16 support program as provided in RCW 74.13.109(4); and helping children
17 leave foster care. Preservice training shall assist applicants in
18 making informed decisions about whether they want to be foster parents.
19 Preservice training shall be designed to enable the agency to assess
20 the ability, readiness, and appropriateness of families to be foster
21 parents. As a decision tool, effective preservice training provides
22 potential foster parents with enough information to make an appropriate
23 decision, affords potential foster parents an opportunity to discuss
24 their decision with others and consider its implications for their
25 family, clarifies foster family expectations, presents a realistic
26 picture of what foster parenting involves, and allows potential foster
27 parents to consider and explore the different types of children they
28 might serve.

29 (3) Preservice training shall be completed prior to the issuance of
30 a foster care license, except that the department may, on a case by
31 case basis, issue a written waiver that allows the foster parent to
32 complete the training after licensure, so long as the training is
33 completed within ninety days following licensure.

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