

SENATE BILL REPORT

SB 5681

As Reported by Senate Committee On:
Human Services & Corrections, February 17, 2011

Title: An act relating to background checks of peer counselors.

Brief Description: Concerning background checks of peer counselors for the purposes of access to children or vulnerable adults.

Sponsors: Senators Pridemore, Stevens, Regala, Harper, Shin, McAuliffe, Chase and Roach.

Brief History:

Committee Activity: Human Services & Corrections: 2/17/11 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5681 be substituted therefor, and the substitute bill do pass.

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

Staff: Jennifer Strus (786-7316)

Background: A person who will have unsupervised access to children or vulnerable adults must complete a background check and the Department of Social and Health Services (DSHS) must approve the person to have that contact. The background check includes a review of the person's criminal history and child protective services history to determine whether the person's background includes a crime or any negative action that is on DSHS's Secretary's list. DSHS uses this information to determine whether the person will be approved to have unsupervised access to children or vulnerable adults.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): With regard to peer counselors, the term unsupervised does not include incidental contact with children under age 16 when the contact occurs at the location where the peer counseling takes place. Incidental contact means minor or casual contact with a child in an area accessible to and within visual and auditory range of others. Incidental contact could include passing a child while walking down a hallway but would not include being alone with a child for any period of time in a closed room or office.

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.

Peer counselor is defined as a nonprofessional person, who has equal standing with another person, providing advice on a topic about which the nonprofessional person is more experienced or knowledgeable. The person must also be a counselor for a peer counseling program that contracts with or is otherwise approved by DSHS, another state or local agency, or the court.

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: PRO: There are a number of parents who have been through the dependency system who now participate in peer counseling groups as veteran parents. While their contributions are invaluable, the background check they must go through can often be a barrier to either participating as a veteran parent or being employed with DSHS or a child placing agency because the background check may bring up prior criminal or founded child abuse incidents. This bill would assist those parents in continuing to play a major role with other parents involved in the child welfare system and alleviate a very small area of concern.

Persons Testifying: PRO: Laurie Lippold, Children's Home Society.