
Judiciary Committee

HB 1476

Title: An act relating to removing references to faith-based exemptions regarding criminal mistreatment of children and vulnerable adults.

Brief Description: Removing references to faith-based exemptions regarding criminal mistreatment of children and vulnerable adults.

Sponsors: Representatives Rodne, Hayes, Lytton, Zeiger, Orwall, Fagan, Moscoso, Gregerson and Van De Wege.

Brief Summary of Bill

- Removes intent language from the criminal mistreatment chapter stating that a person who is given Christian Science treatment in lieu of medical care is not considered deprived of necessary health care or abandoned.
- Removes language from the child abuse chapter stating that a person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner is not considered, for that reason alone, a neglected person.

Hearing Date: 2/17/15

Staff: Omeara Harrington (786-7136).

Background:

Criminal Mistreatment and Abandonment of a Dependent Person.

The crimes of criminal mistreatment and abandonment of a dependent person apply when certain kinds of harm are caused by a parent of a child, or by a person responsible to provide the basic necessities of life to a child or dependent person. The "basic necessities of life" include food, water, shelter, clothing, and medically necessary health care.

In general, a person is guilty of criminal mistreatment if the person causes or creates a risk of bodily injury to a child or dependent person by withholding any of the basic necessities of life. A

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person is guilty of the crime of abandonment of a dependent person when the person leaves a child or other dependent person without the means or ability to obtain one or more of the basic necessities of life, causing or creating a risk of bodily harm to that person.

Legislative intent is stated that a person who, in good faith, is furnished Christian Science treatment by a duly accredited Christian Science practitioner in lieu of medical care is not considered deprived of medically necessary health care or abandoned.

Child Abuse and Neglect.

"Abuse or neglect" means sexual abuse or exploitation, other injury to the child, or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. A person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner is not considered, for that reason alone, a neglected person.

Certain persons are required to report to law enforcement or the Department of Social and Health Services when they have reasonable cause to believe a child has suffered abuse or neglect. The list of persons required to report includes practitioners, law enforcement and other criminal justice employees, school personnel, various health care employees, and others. "Practitioners" as defined in statute include doctors, nurses, and other health care providers, and additionally includes duly accredited Christian Science practitioners.

Christian Science Practitioners.

Christian Science practitioners engage in spiritual healing. A Christian Science practitioner is accredited by the church after an application process and class instruction.

Summary of Bill:

The legislative intent language is removed from the criminal mistreatment chapter that states that a person who, in good faith, is given Christian Science treatment in lieu of medical care is not considered deprived of necessary health care or abandoned.

In the child abuse chapter, language is removed stating that a person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner is not considered, for that reason alone, a neglected person.

Appropriation: None.

Fiscal Note: Not requested.

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