

# FINAL BILL REPORT

## HB 2682

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Synopsis as Enacted

**Brief Description:** Concerning out-of-home services.

**Sponsors:** Representatives Senn, Kilduff, Leavitt and Pollet; by request of Department of Social and Health Services.

**House Committee on Human Services & Early Learning**  
**Senate Committee on Human Services, Reentry & Rehabilitation**

### **Background:**

Out-of-home placements, also known as voluntary placement services, are temporary residential placements for children with developmental disabilities, administered through the Developmental Disability Administration (DDA), a division of the Department of Social and Health Services (DSHS). To qualify for voluntary placement services, a child must:

- be 17 years old or younger;
- require residential placement due solely to their disability; and
- need more services and supports than may be provided in the family home.

Prior to entering into a voluntary out-of-home placement, the child's parent or legal guardian must sign a voluntary placement agreement. The agreement stipulates that:

- the child's parent or legal guardian retains legal custody of the child unless the child has been taken into custody by the Department of Children, Youth, and Families (DCYF) pursuant to a protective court order, or the child has been placed in shelter or foster care due to abuse, abandonment, neglect, or not having a parent or capable legal guardian;
- any party to the voluntary placement agreement may terminate the agreement at any time; and
- if a child's placement is disrupted under the terms of the voluntary placement agreement, the child must return to his or her parent's or guardian's physical care until a new placement is available.

The DDA is responsible for the child's placement and care. Whenever the DDA places a child in out-of-home care, the DDA must develop a permanency plan for the child within 60 days of assuming responsibility for the child's placement and care. This plan must be

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reviewed by a court within a year of the child's placement and the court must determine whether the child's best interests are served by continuing the out-of-home placement.

**Summary:**

Juvenile courts no longer have jurisdiction over proceedings relating to developmentally disabled children who have been placed in out-of-home care pursuant to a voluntary placement agreement between the child's parent, guardian, or legal custodian, and the Developmental Disability Administration (DDA) and the Department of Children, Youth, and Families.

The DDA is no longer required to obtain a judicial determination that continued out-of-care placement provided to a child with a developmental disability is in the best interest of a child, nor is there a required permanency planning hearing required in cases where the child has remained in out-of-home care for at least 15 months and an adoption decree or guardianship order has not previously been entered.

Voluntary placement agreements are renamed "person-centered service plans."

**Votes on Final Passage:**

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| House  | 98 | 0 |
| Senate | 48 | 0 |

**Effective:** June 11, 2020