

HOUSE BILL REPORT

HB 3187

As Reported by House Committee On:
Early Learning & Children's Services

Title: An act relating to postadoption supports for children adopted from foster care.

Brief Description: Establishing systems to support families who have adopted children from foster care.

Sponsors: Representatives Pettigrew, Haler, Hunter, Kagi, Schual-Berke, Appleton, Loomis, Sullivan, Dickerson, Green, Lantz, Hudgins, Simpson, Darneille, McIntire, Roberts, Kenney, Wood, Santos and Ormsby.

Brief History:

Committee Activity:

Early Learning & Children's Services: 2/4/08 [DPS].

Brief Summary of Substitute Bill

- Directs the Department of Social and Health Services (DSHS) to contract for a statewide resource and referral program to provide post-adoption information and referrals to families who adopt children from foster care.
- Directs the DSHS to contract for education advocacy services to be provided to families who adopt children from foster care.

HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Roberts, Vice Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Goodman, Hinkle and Pettigrew.

Staff: Sydney Forrester (786-7120).

Background:

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.

The Department of Social and Health Services (DSHS) reports about 1,000 adoptions of children from the state's foster care system are completed each year, with many children still awaiting adoptive homes. Approximately 750 children in Washington currently are eligible for adoption out of foster care. These children are legally free and eligible for adoption because the parental rights of their parents have been terminated by a court of law.

Children adopted out of the foster care system frequently have special needs, in part as a result of circumstances by which they came into foster care. These children may have medical, mental, or physical health needs, developmental delays, and/or developmental disabilities. Families adopting children with special needs from the foster care system usually qualify for a monthly cash payment, or an adoption subsidy, to help pay some of the expenses of raising a child with special needs. Adoptive families also may receive some limited training related to the child's needs prior to placement. Other than the adoption subsidy and limited training, however, there is no statewide program of coordinated permanency and post-adoption support for children with special needs and their adoptive families.

The North American Council on Adoptable Children recommends all states develop a system for ensuring families who adopt children with special needs, and especially families adopting children from foster care, have access to information and referral from a single entry point, such as a toll-free phone number answered 24 hours-a-day, seven days-a-week. Various states, including Oregon, Maryland, Virginia, and New York, include a statewide resource and referral program as part of their post-adoption supports to families.

Adoption Disruption and Dissolution

Adoption disruption occurs after a child has been placed with an adoptive family but before the adoption has been finalized. The disruption means the child is returned to foster care either permanently or until the child is returned to the adoptive home or is placed in another adoptive home. Adoption dissolution or termination occurs when a child is returned to foster care after the adoption has been finalized. Various studies of nationwide trends indicate adoption disruption occurs at rates ranging between 8 percent and 16 percent. Research on adoption dissolutions indicates between 1 percent and 7 percent of adoptions are terminated after being finalized.

Risk factors associated with adoption disruption include: age of child; severity of abuse or neglect; disabilities and behavior problems; ethnicity, family structure, and socio-demographics; and family and child characteristics.

Summary of Substitute Bill:

The DSHS, within amounts appropriated, is directed to contract for a statewide information resource and referral program. The contract must provide for the information and referrals to be provided by someone knowledgeable and experienced in adoption issues. The program may include referrals to community services and individual and family counseling; relevant training opportunities; and a lending library. The DSHS must develop a simple process for the

voluntary sharing of contact information to assist the provider in surveying adoptive parents regarding their service and support needs.

Also within funds appropriated, the DSHS is directed to contract for education advocacy services to be provided to families who have adopted children from foster care. Advocacy services should be designed to provide support and guidance to parents in navigating the education system. Examples of services include training, information referral on educational matters, consultation, and direct advocacy.

The DSHS must encourage parents of children adopted from foster care to seek an annual assessment of the child's functioning within the family to determine if there are services needed or recommended that will strengthen and maintain the adoptive placement.

Substitute Bill Compared to Original Bill:

The substitute bill includes reference to a lending library as one of the services to be provided by the post-adoption contracted resource and referral provider, and requires the DSHS to develop a simple process for the voluntary sharing of contact information to assist in surveying adoptive families about their service and support needs.

Appropriation: None.

Fiscal Note: Fiscal note requested on substitute bill on February 5, 2008.

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

Staff Summary of Public Testimony:

(In support of original bill) For many adoptive parents, having a central source of information and resources is vital to being able to adequately address the developmental issues that children adopted from foster care may be facing. A resource and referral hotline can go a long way in assisting parents with identifying helpful resources and information.

So often, the services that help foster children and foster families go away at the time of adoption. While adoptive parents don't need a case worker, they will continue to need a place where they can consult on adoption-specific needs in the family. When adoptive families get to the point of crisis, it is usually a process that has been building over time. Taking this step to support adoptive families with a resource and referral service is proactive and will help prevent adoption disruptions. There are particular developmental phases when adopted children will be working through major issues relating to their past. Parents need to have some assistance identifying the professional and other resources likely to be most helpful to the child and the family. A one-stop shop approach would be invaluable. Adoptive parents are eager to learn and willing to do everything they can to give their children a successful future. Prevention is the key – so much can be done early to prevent adoption disruption down the road.

This bill supports families who have already adopted from the foster care system, and would demonstrate to prospective adoptive families that the state is serious about supporting enduring successful adoptions. Access to information, resources, and where necessary, intensive services, can support and preserve the commitment families have made to the adopted child.

(Neutral on original bill) The Office of Family and Children's Ombudsman (OFCO) hears from families often when they are in a state of crisis. Parents who are facing violent or threatening behavior from an adopted child often feel they have no support in getting the child the needed services unless they relinquish the child back to the child welfare system. This is not what adoptive families want. The state should be indebted to families who have chosen to adopt children with special needs, and we should devote special attention to families who subsequently experience great difficulty managing these children and accessing effective treatment services. The OFCO stated in its recent annual report that there should be a system of services to meet the needs of adoptive families. This includes crisis intervention and wrap-around services as well as protocols for collaboration between the Children's Administration and the other administrations and divisions in the DSHS.

(Opposed) None.

Persons Testifying: (In support of original bill) Representative Pettigrew, prime sponsor; Daryl Daus, Foster Parent Association of Washington State and Washington Federation of State Employees; Steve Baxter, Foster Parent Association of Washington State; and Mike Fitzpatrick and Jennifer Dunlap, Children's Home Society of Washington.

(Neutral on original bill) Mary Meinig, Office of the Family and Children's Ombudsman

Persons Signed In To Testify But Not Testifying: None.