
HOUSE BILL 2835

State of Washington

60th Legislature

2008 Regular Session

By Representatives Kagi, Roberts, Loomis, Morrell, Kenney, and Haigh;
by request of Department of Social and Health Services

Read first time 01/16/08. Referred to Committee on Early Learning &
Children's Services.

1 AN ACT Relating to requiring federal name-based criminal history
2 record checks when a child is placed in out-of-home care in an
3 emergency situation; and adding a new section to chapter 26.44 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.44 RCW
6 to read as follows:

7 (1) During an emergency situation when a child must be placed in
8 out-of-home care due to the absence of appropriate parents or
9 custodians, the department shall request a federal name-based criminal
10 history record check of each adult residing in the home of the
11 potential placement resource. Upon receipt of the results of the name-
12 based check, the department shall provide a complete set of each adult
13 resident's fingerprints to the Washington state patrol for submission
14 to the federal bureau of investigation within fourteen calendar days
15 from the date the name search was conducted. The child shall be
16 removed from the home immediately if any adult resident fails to
17 provide fingerprints and written permission to perform a federal
18 criminal history record check when requested.

1 (2) When placement of a child in a home is denied as a result of a
2 name-based criminal history record check of a resident, and the
3 resident contests that denial, the resident shall, within fifteen
4 calendar days, submit to the department a complete set of the
5 resident's fingerprints with written permission allowing the department
6 to forward the fingerprints to the Washington state patrol for
7 submission to the federal bureau of investigation.

8 (3) The Washington state patrol and the federal bureau of
9 investigation may each charge a reasonable fee for processing a
10 fingerprint-based criminal history record check.

11 (4) As used in this section, "emergency placement" refers to those
12 limited instances when the department is placing a child in the home of
13 private individuals, including neighbors, friends, or relatives, as a
14 result of a sudden unavailability of the child's primary caretaker.

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