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HOUSE BILL 1173

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Cooke and Brown; by request of Department of Social and Health Services

Read first time 01/16/95. Referred to Committee on Children & Family Services.

1 AN ACT Relating to adoption support; and amending RCW 74.13.118 and  
2 74.13.121.

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

4 **Sec. 1.** RCW 74.13.118 and 1985 c 7 s 138 are each amended to read  
5 as follows:

6 ~~((At least annually))~~ The secretary shall periodically review the  
7 need of any adoptive parent or parents receiving continuing support  
8 pursuant to RCW 26.33.320 and 74.13.100 through 74.13.145, or the need  
9 of any parent who is to receive more than one lump sum payment where  
10 such payments are to be spaced more than one year apart. ~~((Such review  
11 shall be made not later than the anniversary date of the adoption  
12 support agreement.))~~

13 At the time of such ~~((annual))~~ review and at other times ~~((during  
14 the year))~~ when changed conditions, including variations in medical  
15 opinions, prognosis and costs, are deemed by the secretary to warrant  
16 such action, appropriate adjustments in payments shall be made based  
17 upon changes in the needs of the child, in the adoptive parents'  
18 income, resources, and expenses for the care of such child or other  
19 members of the family, including medical and/or hospitalization expense

1 not otherwise covered by or subject to reimbursement from insurance or  
2 other sources of financial assistance.

3 Any parent who is a party to such an agreement may at any time in  
4 writing request, for reasons set forth in such request, a review of the  
5 amount of any payment or the level of continuing payments. Such review  
6 shall be begun not later than thirty days from the receipt of such  
7 request. Any adjustment may be made retroactive to the date such  
8 request was received by the secretary. If such request is not acted on  
9 within thirty days after it has been received by the secretary, such  
10 parent may invoke his rights under the hearing provisions set forth in  
11 RCW 74.13.127.

12 **Sec. 2.** RCW 74.13.121 and 1985 c 7 s 139 are each amended to read  
13 as follows:

14 So long as any adoptive parent is receiving support pursuant to RCW  
15 26.33.320 and 74.13.100 through 74.13.145 he or she shall, (~~not later~~  
16 ~~than two weeks after it is filed with the United States government~~)  
17 upon request, file with the secretary a copy of his or her federal  
18 income tax return. Such return and any information thereon shall be  
19 marked by the secretary "confidential", shall be used by the secretary  
20 solely for the purposes of RCW 26.33.320 and 74.13.100 through  
21 74.13.145, and shall not be revealed to any other person, institution  
22 or agency, public or private, including agencies of the United States  
23 government, other than a superior court, judge or commissioner before  
24 whom a petition for adoption of a child being supported or to be  
25 supported pursuant to RCW 26.33.320 and 74.13.100 through 74.13.145 is  
26 then pending.

27 In carrying on the review process authorized by RCW 26.33.320 and  
28 74.13.100 through 74.13.145 the secretary may require the adoptive  
29 parent or parents to disclose such additional financial information,  
30 not privileged, as may enable him or her to make determinations and  
31 adjustments in support to the end that the purposes and policies of  
32 this state expressed in RCW 74.13.100 may be carried out, provided that  
33 no adoptive parent or parents shall be obliged, by virtue of this  
34 section, to sign any agreement or other writing waiving any  
35 constitutional right or privilege nor to admit to his or her home any  
36 agent, employee, or official of any department of this state, or of the  
37 United States government.

1       Such information shall be marked "confidential" by the secretary,  
2 shall be used by him or her solely for the purposes of RCW 26.33.320  
3 and 74.13.100 through 74.13.145, and shall not be revealed to any other  
4 person, institution, or agency, public or private, including agencies  
5 of the United States government other than a superior court judge or  
6 commission before whom a petition for adoption of a child being  
7 supported or to be supported pursuant to RCW 26.33.320 and 74.13.100  
8 through 74.13.145 is then pending.

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