

# HOUSE BILL REPORT

## EHB 1496

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### As Passed Legislature

**Title:** An act relating to the definition of negligent treatment of a child.

**Brief Description:** Clarifying the definition of "negligent treatment or maltreatment" of a child.

**Sponsors:** By House Committee on Law & Justice (originally sponsored by Representatives Benson, Cooke, Mulliken, Dunshee, Linville, Sheahan, Gombosky, Carrell, Sterk, McMorris and Kastama).

**Brief History:**

**Committee Activity:**

Law & Justice: 2/26/97, 3/5/97 [DP].

**Floor Activity:**

Passed House: 3/12/97, 97-0.

Passed Legislature.

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

**Staff:** Bill Perry (786-7123).

**Background:** Certain persons are obligated to report whenever they have reason to believe a child, adult dependent person, or disabled person has suffered abuse or neglect. Those required to report abuse or neglect include medical personnel, school personnel, counselors, child care providers, employees of the Department of Social and Health Services (DSHS), and law enforcement personnel. The report of such belief is to be made to a law enforcement agency or the DSHS. As a consequence of such a report, an investigation may be undertaken, and if abuse or neglect is found, removal of the victim, imposition of restraining orders, and other procedures may follow. The matter may be referred for possible criminal charges or dependency proceedings.

For purposes of this reporting requirement, abuse or neglect includes negligent treatment, or maltreatment of a child.— Negligent treatment or maltreatment of a

child is defined as a serious disregard of the consequences of an act or omission that amounts to a clear and present danger— to a child’s health, welfare, and safety.

**Summary of Bill:** The definition of negligent treatment or maltreatment of a child— for purposes of the mandatory reporting statute is amended. The sharing of a bedroom by siblings is not in and of itself negligent treatment or maltreatment.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Parents should not have their children taken away from them just because the family is poor.

**Testimony Against:** None.

**Testified:** Representative Benson, prime sponsor.