

HOUSE BILL REPORT

HB 1102

As Amended by the Senate

Title: An act relating to foster parents' rights.

Brief Description: Regarding rights of foster parents.

Sponsors: Representatives Boldt, Woods and Clements.

Brief History:

Committee Activity:

Children & Family Services: 1/29/01, 2/8/01 [DP].

Floor Activity:

Passed House: 2/27/01, 97-0.

Senate Amended.

Passed Senate: 4/11/01, 48-0.

<p style="text-align: center;">Brief Summary of Bill</p> <p>· Employees of the Department of Social and Health Services are prohibited from retaliating or discriminating against foster parents.</p>
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HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: Do pass. Signed by 10 members: Representatives Boldt, Republican Co-Chair; Tokuda, Democratic Co-Chair; Kagi, Democratic Vice Chair; Morell, Republican Vice Chair; Ballasiotes, Campbell, Darneille, Dickerson, Miloscia and Pflug.

Staff: Deborah Frazier (786-7152).

Background:

Some foster parents have the perception that they will experience reprisal from employees of the Department of Social and Health Services (DSHS) if they disagree with the care plan established for a child in their care, attempt to adopt a foster child, file a complaint, or seek to understand their rights as foster parents.

Summary of Bill:

Employees of the Department of Social and Health Services are prohibited from retaliating or discriminating against foster parents. References to within available resources— are deleted with regard to departmental sharing of information with the foster child’s caregivers and consulting with them in the development of the child’s case plan. References to foster parents assisting in family visitation, including monitoring, and modeling effective parenting behavior for the natural family, are moved within the existing section of statute.

EFFECT OF SENATE AMENDMENT(S):

The text of SSB 5049 is added to the underlying bill. Placing or keeping a child in a specific out-of-home placement when there is a conflict of interest on the part of any adult residing in the specific home is prohibited. A conflict of interest is defined to have occurred when an adult in a home who, as the result of his or her employment, conducts or has conducted an investigation of an allegation of abuse or neglect of the child placed in the home, or if the child is likely to be a witness in a cause of action involving the adult. Administrative action is required to be taken against a Department of Social and Health Services employee or contractor who has knowingly violated or is alleged to have knowingly violated the prohibition on conflict of interest.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The quality and quantity of foster parents would increase if foster parents had the assurance that they will not be retaliated against, whether this concern is real or imagined. We’ve seen foster parents insulted when trying to advocate for the child. We see lots of retaliation and blackballing. We don’t know how to document it or fix it, but we know it happens.

(Concerns) The department would be glad to discuss specific cases and get to the bottom of it. It is certainly the department’s intent that foster parents be treated with courtesy and respect. The concept of the bill is worthwhile. We have concerns about the possible fiscal impact from the removal of within available resources— language regarding information sharing with foster parents.

Testimony Against: None.

Testified: (In support) Representative Clements, prime sponsor; Christine Cavanagh, Bethany Christian Services; Darcy Jarolim, foster parent and Region Six liaison; and James Wilson, Treehouse.

(With concerns) Marianna Conner, Washington Department of Social and Health Services.