

***Children & Family Services  
Committee***

***HB 2013***

***Brief Description:*** *Indemnifying individuals for good faith child abuse or neglect investigations.*

***Sponsors:*** *Representative Kagi.*

***Brief Summary of Bill***

- *Indemnifies volunteers on child abuse, neglect or fatality review teams acting in good faith and without gross negligence in an investigation.*
- *The burden of proving bad faith on the part of a team volunteer is on the plaintiff.*

***Hearing Date:*** *2/19/01*

***Staff:*** *Tracey Taylor (786-7196).*

***Background:***

*Under the state child abuse statutes, mandatory reporters are required to make a report to a law enforcement agency or the Department of Social and Health Services (DSHS) if he or she has reasonable cause to believe that a child has suffered abuse or neglect.*

*Mandatory reporters include physicians, registered nurses, social service counselors, licensed child care providers and professional school personnel. Any person making a report of suspected child abuse or neglect in good faith is immune from any liability arising out of such a report.*

*The DSHS may conduct ongoing case planning and consultation with the mandatory reporters and with department designated consultants. The exchange of information must be pertinent to cases currently receiving child protective services and must be in the best interests of the child. Information exchanged is considered privileged.*

*If a public employee involved in the reporting of abuse or neglect acts in good faith and*

*without gross negligence in his or her reporting and if the employee's judgment as to what constitutes reasonable cause to believe that a child suffered abuse or neglect is being challenged, the public employer shall provide for the employee's legal defense.*

***Summary of Bill:***

*If a volunteer on a child abuse, neglect or fatality review team acts in good faith and without gross negligence in performance of his or her duties, the state will indemnify the volunteer from claims arising out the team's investigation. In a claim alleging bad faith on the part of a team member, the plaintiff bears the burden of proof.*

***Appropriation:*** None.

***Fiscal Note:*** Requested on February 13, 2001.

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