

# SENATE BILL REPORT

## SB 6585

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As Passed Senate, March 13, 2002

**Title:** An act relating to requiring support payments for developmentally disabled children in out-of-home care as a result of the budget deficit.

**Brief Description:** Authorizing collection of support payments for developmentally disabled children in out-of-home care.

**Sponsors:** Senators Thibaudeau and Deccio; by request of Department of Social and Health Services.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/30/02, 2/6/02 [DP].

Ways & Means: 2/11/02, 2/25/02 [DP].

Passed Senate: 3/13/02, 47-1.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Thibaudeau, Chair; Costa, Deccio, Fraser and Winsley.

**Staff:** Rhoda Donkin (786-7198)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Brown, Chair; Regala, Vice Chair; Fairley, Vice Chair; Fraser, Hewitt, Kline, Kohl-Welles, Rasmussen, Rossi, B. Sheldon, Spanel and Thibaudeau.

**Staff:** Brian Sims (786-7431)

**Background:** The Voluntary Placement Program (VPP) was created in 1998 to allow families with developmentally disabled children to voluntarily place these children into foster care without being forced to relinquish their parental rights and enter into the same process with the Department of Social and Health Services established specifically for abused and neglected children.

In order to be eligible for the VPP, a child being placed must qualify as developmentally disabled, which is defined in statute. About 40 percent of families who want the VPP already receive services from the Division of Developmental Disabilities, and have decided they cannot keep their child at home. Other children who enter the program have already been in foster care throughout their childhood and at age 18 have gotten too old to be in a foster home licensed for children.

Kids who are placed in the VPP program often have severe behavior issues or require a high level of care or supervision. These children often come from single parent families, with several other children in the family. According to a report done by the University of Washington, the average income of parents with developmentally disabled children who place them in foster care is more than \$50,000 a year.

Currently, families with children in the state's foster care system contribute to the cost of maintaining their child in the foster home through child support payments. Parents of children with developmental disabilities do not pay child support for their children in foster care.

**Summary of Bill:** The Department of Social and Health Services is authorized to collect child support payments from parents of developmentally disabled children who place their children in the state's foster care system, either as a voluntary placement or as the result of a court order. The department may seek these payments for the care and maintenance of the child unless the department finds that there is good cause not to pursue collection of child support against the parents.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This is an equity issue. Parents of children in foster care are already asked to make a contribution to the state for their care. It is fair to ask the parents of children with developmental disabilities to do the same thing.

**Testimony Against:** This conflicts with Medicaid rules.

**Testified:** Sue Elliott, Arc of Washington State (con); Wayne Kawakami, OFM (pro); David Stillman, DSHS Div. of Child Support (pro).