
**Children & Family Services
Committee**

HB 1278

Brief Description: Regarding the investigation of child abuse and neglect.

Sponsors: Representatives Kagi, Hinkle, Clibborn, Dickerson, Roach, Schual-Berke, P. Sullivan, Pettigrew, Orcutt, Darneille, Roberts, Kenney, Wallace, Chase and Santos.

Brief Summary of Bill

- Requires the Department of Social and Health Services to review sibling records during its investigation of child abuse or neglect, if the sibling resides in or visits the home of the child who is the basis of the complaint, or if the sibling is in imminent risk of harm.

Hearing Date: February 2, 2005.

Staff: Sonja Hallum (786-7092).

Background:

The Department of Social and Health Services (DSHS) has the responsibility to investigate allegations of child abuse or neglect. The DSHS must investigate complaints of any recent act, or failure to act, on the part of a parent or caretaker that results in death, serious physical or emotional harm, sexual abuse or exploitation, or that presents an imminent risk of serious harm to a child.

The investigation may include a review of records of the child that may relate to the child abuse or neglect investigation. The DSHS is entitled to have access to the relevant records of the child in the possession of any person who is a mandated reporter under the mandatory reporting statute.

The DSHS may also be permitted to access medical records if a health care provider reasonably believes it is necessary to avoid or minimize an imminent danger to the health and safety of a patient.

There are no specific statutory requirements as to what records, or other information, must be investigated during an investigation of child abuse or neglect. Additionally, there are no statutory guidelines or requirements regarding what information, if any, should be reviewed that pertains to family members of the child who is the subject of the investigation.

Summary of Bill:

When the DSHS is conducting an investigation of child abuse or neglect, the DSHS is required to include a review of any sibling records in its investigation if the sibling resides in or visits the home of the child who is the subject of the investigation, or if there is an imminent risk of harm to the sibling.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.