

HB 1482-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent that the department of social and health services be permitted to intervene in cases of chronic neglect where the well-being of the child is at risk. One incident of neglect may not rise to the level requiring state intervention; however, a pattern of neglect has been shown to cause damage to the health and well-being of the child subject to the neglect.

Declares an intent that when chronic neglect has been found to exist in a family, the legal system reinforce the need for the parent to engage in services that will decrease the likelihood of future neglect. However, if the parents fail to comply with the necessary services, the state must intervene to protect the children who are at risk.

Provides that, in any case in which the court orders that a dependent child may be returned to or remain in the child's home, the in-home placement shall be contingent upon the following: (1) The cooperation by the parents with the agency case plan;

(2) The compliance of the parents with court orders related to the care and supervision of the child; and

(3) The continued participation of the parents in remedial services.

Provides that, if the department, upon investigation of a report that a child has been abused or neglected as defined in chapter 26.44 RCW, determines that the child has been subject to or is at risk of negligent treatment or maltreatment, the department may offer services to the child's parents, guardians, or legal custodians (1) to ameliorate the conditions that endangered the welfare of the child or that place the child at risk of future abuse or neglect, or (2) to address or treat the effects of mistreatment or neglect upon the child.

Provides that if the child's parents, guardians, or legal custodians are available and willing to participate on a voluntary basis in in-home services, and the department determines that in-home services on a voluntary basis are appropriate for the family, the department may offer such services.

Declares that nothing in this act precludes the department from filing a dependency petition as provided in chapter 13.34 RCW if it determines that such action is necessary to protect the child from abuse or neglect or safeguard the child from future abuse or neglect.

Declares that nothing in this act shall be construed to create in any person an entitlement to services or financial assistance in paying for services or to create judicial authority to order the provision of services to any person or family if the services are unavailable or unsuitable or if the child or family is not eligible for such services.

Recognizes that the fiscal and workload impact of this act may not be fully determined until after it is implemented and that such impact may further be affected by the funding or availability of community-based prevention and remedial services. For that reason, the department of social and health services shall report on the

implementation of this act to the appropriate legislative committees and the governor by December 1, 2006.

Requires the report to include information regarding any change over previous years in the number and type of child abuse and neglect referrals received and investigations conducted, any change in in-home and out-of-home dependency placements and/or filings, any increased service costs, barriers to implementation, and an assessment of the fiscal and workload impact on the department. Such information shall be reviewed by the legislature for possible amendment of this act or additional allocation of resources to the department for implementation purposes.

Takes effect January 1, 2006.