

SENATE BILL REPORT

SB 5246

As Reported By Senate Committee On:
Human Services & Corrections, February 9, 2007
Ways & Means, February 27, 2007

Title: An act relating to the placement of children.

Brief Description: Changing provisions affecting the placement of children.

Sponsors: Senators Hargrove, Brandland, McAuliffe and Stevens; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services & Corrections: 1/16/07, 2/09/07 [DPS].
Ways & Means: 2/20/07, 2/27/07 [DPS(HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5246 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Kiki Keizer (786-7430)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5246 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Paula Moore (786-7449)

Background: A child may be removed from his or her home and taken into state custody if that child is abandoned or abused or neglected by a person legally responsible for his or her care.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

State and federal law recognize a preference for placing a child who has been removed from home with relatives, as long as certain conditions are met to safeguard the child's health and safety.

In Washington, certain relatives may receive and care for a child who has been removed from home without going through the process of being licensed as foster homes. For example, the law allows blood relatives, including those of half-blood, and including first cousins; nephews or nieces; grandparents; stepparents; and stepbrothers and stepsisters to receive a child who has been removed without being licensed as foster homes.

Summary of Bill: Second cousins and relatives of any half-sibling of a child who has been removed from home due to allegations of abuse or neglect or abandonment are added to the list of relatives who may receive and care for that child without being licensed as foster homes, as long as certain conditions are met to safeguard the child's health and safety.

Authority is granted to the Department of Social and Health Services, or any other agency supervising the child's placement, to place the child in the home of a suitable person if the child or family has a preexisting relationship with the person, the person has completed the required criminal history background checks, and the court finds that the placement is in the best interest of the child. In this case, placement of the child with a relative is still to be given preference by the court.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): Absent good cause, the Department of Social and Health Services or supervising agency must follow the wishes of the natural parent regarding the out-of-home placement of a child, in accordance with RCW 13.34.260. Conflicting language about the court giving preference to placement with a relative is eliminated. One technical change of "the individual" to "that person," to be consistent with references to a "person" throughout the subsection.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony (Human Services & Corrections): PRO: The bill expands the ability of the Children's Administration to look at relative placements. It also affords the opportunity to place a child with a significant person in that child's life if the court and the Children's Administration agree that the placement is suitable for the child. The ability to place a child with a significant person in the child's life is also a way to recognize and support the child's parent's preference with respect to the placement. Stakeholders have had the chance to comment on the bill through the Children's Advisory Committee and support this new step toward expanding kinship placement.

Persons Testifying (Human Services & Corrections): PRO: Cheryl Stephani, Children's Administration, Department of Social and Health Services; Laurie Lippold, Children's Home Society of Washington.

Staff Summary of Public Testimony (Ways & Means): PRO: This bill assumes a net savings. The Governor's budget also includes an additional step to increase supports for kinship care providers. This bill provides children with a greater sense of family support. Research shows kinship care placements result in more stability, higher rates of reunification with the parent, fewer behavior problems, and more contact with the family.

Persons Testifying (Ways & Means): PRO: Cheryl Stephani, Children's Administration, Department of Social and Health Services; Laurie Lippold, Children's Home Society of Washington.