
Judiciary Committee

HB 1675

Title: An act relating to improving the adoption process.

Brief Description: Improving the adoption process.

Sponsors: Representatives Roberts, Orwall, Goodman, Kirby, Jinkins, Pedersen, Farrell, Kagi, Freeman and Ryu.

Brief Summary of Bill

- Makes changes to the adoption process following recommendations in the September 2012 Severe Abuse of Adopted Children Committee Report.

Hearing Date: 2/20/13

Staff: Cece Clynch (786-7195).

Background:

In response to issues identified by the Office of the Family and Children's Ombudsman (OFCO) concerning cases of severe child abuse and neglect of adopted children, the Governor requested that the Department of Social and Health Services' (DSHS) Children's Administration (CA) and OFCO convene a workgroup to examine these issues and make recommendations to improve the adoption process and protect children. Committee members, in addition to representatives from DSHS and OFCO, included a superior court judge, assistant attorneys general, a foster/adoptive parent, physicians from the University of Washington and Harborview Medical Center, and representatives from adoption agencies, a public defense firm, the Governor's office, the Children's Home Society, and Casey Family Programs.

The group issued a report in September 2012 entitled "Severe Abuse of Adopted Children Committee Report." With respect to the recommendations made, it was acknowledged that most would involve amending state law, administrative regulation, or agency policies and would likely

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require additional resources for implementation. The recommendations, grouped in categories per the report, are set forth below:

- State Oversight of Child Placing Agencies:
 - Strengthen state oversight of child placing agencies providing adoption services by enacting administrative rules consistent with The Hague Convention and federal laws and regulations.
 - The Department should develop and distribute a list of key concerns or "red flags" regarding troubled adoptions.
 - The Department should establish a procedure to track adoption disruption and dissolution.
- Assessing Prospective Adoptive Families:
 - Strengthen qualifications for individuals conducting adoption home studies and post placement reports.
 - Enhance minimum requirements for adoption home studies.
 - Establish procedures to ensure that all adoption home studies are filed or recorded as currently required by state law.
 - CA should establish an internal committee to make adoption decisions for dependent children.
 - Enhance minimum requirements for post-placement reports.
- Training and Post Adoption Support Services:
 - Improve training and preparation for prospective adoptive parents.
 - Create minimum training requirements for child placing agency staff.
 - Provided training to professionals who are directly or indirectly involved with the adoption process.
 - Enhance support services for adoptive families.

Summary of Bill:

Intent.

The Legislature recognizes that, in order to implement the majority of the recommendations made in the September 2012 Report on Severe Abuse Of Adopted Children, it is important that the Department of Social and Health Services (DSHS) develop a detailed work plan identifying a strategy and time frame to carry out the reforms. It further recognizes, however, that some of the recommendations require statutory changes and, in order that these recommendations not languish, the Legislature is making those changes now.

Changes Related to State Oversight of Child Placing Agencies.

It is the duty of the DSHS secretary to establish procedures and requirements for identifying, tracking, and reporting adoption disruption and dissolution, and the factors leading thereto, including requiring regular reports from child-placing agencies relating to children placed for adoption.

Changes Related to Assessing Prospective Adoptive Families.

Changes are made to the qualifications required for individuals conducting adoption home studies and post placement reports. Such persons must have a master's degree in social work or a related field and one year of experience in social work, or a bachelor's degree and two years of experience in social work. No longer is a court authorized to to approve a person not meeting these educational and experiential requirements.

The study and inquiry required for the preplacement report, regarding the fitness of the prospective adoptive parent, must include an investigation of the disciplinary and punishment philosophies and practices of the prospective adoptive parent in addition to areas of inquiry already required, such as home environment, family life, health, facilities, and resources. Similarly, the postplacement report must contain all reasonably available information regarding disciplinary and punishment philosophies and practices, in addition to current information requisites such as physical and mental condition of the child, home environment, family life, health, facilities, and resources, and any other facts and circumstances relating to the propriety and advisability of the adoption.

Preplacement reports that are not completed are required to be filed in the same manner as completed preplacement reports.

Appropriation: None.

Fiscal Note: Requested on February 15, 2013.

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