

RCW 26.44.056 Protective detention or custody of abused child—Probable cause—Notice—Time limits—Liability. (1) An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if there is probable cause to believe that detaining the child is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid, or a pattern of severe neglect, and the child would be seriously injured or could not be taken into custody if it were necessary to first obtain a court order under RCW 13.34.050: PROVIDED, That such administrator or physician shall notify or cause to be notified the appropriate law enforcement agency or child protective services pursuant to RCW 26.44.040. Such notification shall be made as soon as possible and in no case longer than 72 hours. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest. Child protective services may detain the child until the court assumes custody, but in no case longer than 72 hours, excluding Saturdays, Sundays, and holidays.

(2) A child protective services employee, an administrator, doctor, or law enforcement officer shall not be held liable in any civil action for the decision for taking the child into custody, if done in good faith under this section. [2024 c 328 s 106; 2021 c 211 s 4; 1983 c 246 s 3; 1982 c 129 s 8; 1975 1st ex.s. c 217 s 9.]

Findings—Intent—2024 c 328: See note following RCW 13.34.050.

Effective date—Short title—Finding—Intent—2021 c 211: See notes following RCW 13.34.040.

Severability—1982 c 129: See note following RCW 9A.04.080.