

HOUSE BILL REPORT

ESHB 1512

As Passed Legislature

Title: An act relating to dependent children.

Brief Description: Changing provisions relating to dependent children.

Sponsors: By House Committee on Human Services (originally sponsored by Representatives Brough, Leonard, Chappell, Romero, Veloria, Riley, Karahalios, Horn, Wolfe, Ballasiotes, Talcott, G. Cole, Flemming and J. Kohl.)

Brief History:

Reported by House Committee on:
Human Services, March 1, 1993, DPS;
Passed House, March 11, 1993, 98-0;
Amended by Senate;
Conference Committee Report Adopted;
Passed Legislature, April 25, 1993, 98-0.

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Leonard, Chair; Riley, Vice Chair; Cooke, Ranking Minority Member; Talcott, Assistant Ranking Minority Member; Brown; Karahalios; Lisk; Patterson; Thibaudeau; and Wolfe.

Minority Report: Do not pass. Signed by 1 member: Representative Padden.

Staff: David Knutson (786-7146).

Background: When a child is found by the court to be dependent because of abuse, neglect, or a parent's inability to care for the child, he or she is often placed in foster care. For many children, their stay in foster care can last for years as their parents attempt to improve the deficiency which led the court to take their child away. The current process for terminating a parent and child relationship can take years, denying the child a permanent home or setting.

Summary of Bill: In legal proceedings related to the termination of the parent and child relationship, the judge will consider a parent's use of chemical substances and

psychological or mental deficiency which render the parent incapable of properly caring for their child. A parent is presumed incapable of remedying the deficiencies which led to the removal of the child from the home if they have not made significant progress in correcting their deficiencies within 12 months. When the parent of a dependent child is ordered to undergo substance abuse diagnostic, evaluation, and treatment services, the treatment program will inform the court of the parent's progress.

Adults living with a child, developmentally disabled person, or a dependent adult, are required to report severe abuse to Child Protective Services or law enforcement if they are able or capable of making a report. The Department of Social and Health Services is required to use a risk assessment too when investigating child abuse and neglect referrals. Law enforcement officials conducting child abuse and neglect investigations may request a temporary restraining order against a person with unsupervised visitation rights if they are accused of sexually or physically abusing a child.

Fiscal Note: Requested.

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

Testimony For: When parents are clearly incapable of correcting the problems which caused their child to be found dependent, the state should move deliberately to find a permanent home for the child. Many children stay in foster care too long because the state and the court are reluctant to terminate the parent-child relationship.

Testimony Against: None.

Witnesses: Darlene Flowers, Foster Parent Association of Washington State; Karl Jensen, foster parent; and Gerard Sidorowicz, Department of Social and Health Services.