

SENATE BILL REPORT

HB 1898

As Reported By Senate Committee On:
Human Services & Corrections, March 30, 2001

Title: An act relating to the licensing of crisis nurseries.

Brief Description: Licensing crisis nurseries.

Sponsors: By Representatives Hankins, Skinner, Tokuda, Boldt, Kenney, Dunn, Keiser, Van Luven, McMorris, Delvin, Mitchell and Santos.

Brief History:

Committee Activity: Human Services & Corrections: 3/21/01, 3/30/01 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Chelsea Buchanan (786-7446)

Background: Crisis nurseries are a type of respite care for children at risk of abuse and/or neglect. The nurseries serve children ranging from birth through age 17, and are operated up to 24 hours a day, and up to seven days a week. Caregivers who need a short break from their children to avoid abuse and/or neglect voluntarily bring the children to the nursery for relief.

Currently, five crisis nurseries are operating in the state: in Spokane, Everett, Seattle, Yakima, and the Tri-Cities. Because this type of program is not included specifically in the definitions of agencies that the Department of Social and Health Services (DSHS) may license, crisis nurseries are currently licensed through the use of a number of waivers. Concern exists that the time needed to obtain waivers has hampered implementation of programs that are in demand, and that a separate license should exist to address the requirements needed for this type of service.

Under current state law, a person who abandons a child can be criminally charged with abandonment of a dependent person, family abandonment or family non-support. Since 1999 there have been several local incidents of newborn infants being abandoned in a variety of locations, putting the infant's health at grave and immediate risk.

Summary of Amended Bill: Crisis nurseries are given a licensing category of "emergency respite centers" and are defined and added to the list of agencies that DSHS may license to care for children, expectant mothers, and persons with developmental disabilities.

Immunity is provided from specific criminal liability for a parent who transfers a newborn to any hospital employee at a hospital emergency room, with a number of provisions. Child Protective Services is contacted within 24 hours. No changes are made to current law relating to dependency or termination of parental rights. The Department of Social and Health Services must form a related task force and report to the Governor and Legislature by December 1, 2001.

Amended Bill Compared to Original Bill: The amended bill (1) gives crisis nurseries a licensing category of "emergency respite centers" and more specifically defines them; and (2) inserts the entire text of SSB 5236, related to infant abandonment, as it passed the Senate.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Sections 1, 2, and 10 take effect ninety days after adjournment of session in which bill is passed. Sections 3 through 9 contain an emergency clause and take effect immediately.

Testimony For: This bill adds an existing service to the DSHS licensing categories. Crisis nurseries are successful in preventing abuse and neglect. "Nursery" is a national term, and the movement to create more facility-based crisis nurseries is growing. These facilities have to acquire multiple waivers, which is cumbersome. The number of kids brought to the Safe Harbor Crisis Nursery increases every month. Safe Harbors is serving some very young children who appear abandoned and have been brought by law enforcement, and also some children who are brought by Child Protective Services for a brief time while DSHS is trying to locate emergency foster care. By allowing kids up through age 17, DSHS will be able to license all existing programs, some of which do provide non-facility-based respite care for teenagers. DSHS is developing a program description for crisis nurseries. These facilities are supposed to be for parents admitting children, not for Child Protective Services use, and they are not meant to replace crisis residential centers.

Testimony Against: None.

Testified: Representative Shirley Hankins, sponsor (pro); Sue Delucchi, Safe Harbor Crisis Nursery (pro); Nancy Zahn, DSHS (pro).