

FINAL BILL REPORT

SHB 2988

C 181 L 04

Synopsis as Enacted

Brief Description: Protecting the rights of foster parents.

Sponsors: By House Committee on Children & Family Services (originally sponsored by Representatives Boldt, Clements, Pearson, Bailey and McMahan).

House Committee on Children & Family Services
Senate Committee on Children & Family Services & Corrections

Background:

House Bill 1102, relating to foster parents rights, was enacted in 2001 with a partial veto by the Governor. House Bill 1102 provided that foster parents have the right to be free of coercion, discrimination, and reprisal in serving foster children, including the right to voice grievances about treatment furnished or not furnished to the foster child.

Two sections of the bill were vetoed by the Governor. One of those two vetoed sections provided that no Department of Social and Health Services (DSHS) employee may retaliate against a foster parent or in any other manner discriminate against any foster parent because:

- the foster parent made a complaint with the Office of the Family and Children's Ombudsman (OFCO), the Attorney General, law enforcement agencies, or the DSHS, provided information, or otherwise cooperated with the investigation of such a complaint;
- the foster parent has caused to be instituted any proceedings under or related to Title 13 RCW, relating to juvenile courts and juvenile offenders;
- the foster parent has testified or is about to testify in any proceedings under or related to Title 13 RCW, relating to juvenile courts and juvenile offenders;
- the foster parent has advocated for services on behalf of the foster child;
- the foster parent has sought to adopt a foster child in the foster parent's care; or
- the foster parent has discussed or consulted with anyone concerning the foster parent's rights under chapter 74.13 RCW, relating to child welfare services, chapter 74.15 RCW, relating to the care of children, expectant mothers, and developmentally disabled, or chapter 13.34 RCW, relating to dependencies.

Summary:

A foster parent may file a complaint with the OFCO if the foster parent believes that a DSHS employee has retaliated or in any other manner discriminated against the foster parent because:

- the foster parent made a complaint with the OFCO, the Attorney General, law enforcement agencies, or the DSHS, provided information, or otherwise cooperated with the investigation of such a complaint;
- the foster parent has caused to be instituted any proceedings under or related to Title 13 RCW, relating to juvenile courts and juvenile offenders;
- the foster parent has testified or is about to testify in any proceedings under or related to Title 13 RCW, relating to juvenile courts and juvenile offenders;
- the foster parent has advocated for services on behalf of the foster child;
- the foster parent has sought to adopt a foster child in the foster parent's care; or
- the foster parent has discussed or consulted with anyone concerning the foster parent's rights under chapter 74.13 RCW, relating to child welfare services, chapter 74.15 RCW, relating to the care of children, expectant mothers, and developmentally disabled, or chapter 13.34 RCW, relating to dependencies.

The OFCO is required to include in its annual report its recommendations regarding complaints filed by foster parents who believe that a DSHS employee has retaliated or in any other manner discriminated against them. The OFCO is also required to identify trends which may indicate a need to improve relations between the DSHS and foster parents.

The DSHS is required to develop procedures for responding to recommendations of the OFCO as a result of any and all complaints filed by foster parents who believe that a DSHS employee has retaliated or in any other manner discriminated against them.

Votes on Final Passage:

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| House | 93 | 0 | |
| Senate | 47 | 0 | (Senate amended) |
| House | | | (House refused to concur) |
| Senate | 49 | 0 | (Senate amended) |
| House | 96 | 0 | (House concurred) |

Effective: June 10, 2004