

FINAL BILL REPORT

ESB 5583

C 345 L 05

Synopsis as Enacted

Brief Description: Requiring training of children's administration employees concerning older children who are victims of abuse or neglect.

Sponsors: Senators Regala, Hargrove, McAuliffe, Stevens, Carrell, Kline, Rasmussen and Kohl-Welles.

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

Background: The Legal Requirement that the Department of Social and Health Services Investigate and Report Abuse and Neglect of Children Aged 18 and Under. The law requires the Department of Social and Health Services (DSHS) to investigate complaints if a parent's or caretaker's actions result in serious physical or emotional harm or present an imminent risk of serious harm to a person under 18. If the harm arises under circumstances which indicate that the child's health, welfare, and safety are harmed, then the DSHS has a statutory responsibility to report that harm to law enforcement authorities, unless it was the result of reasonable and moderate physical discipline. When determining whether the physical punishment was reasonable and moderate, the DSHS must consider factors such as the age, size, and condition of the child and the location of the injury.

The Role of the Office of Family and Children's Ombudsman. The Office of Family and Children's Ombudsman (OFCO) is required by law to monitor procedures established by the DSHS with a view toward appropriate preservation of families and ensuring children's health and safety. The OFCO is also authorized to investigate specific complaints involving violations of laws, rules, and policies.

The OFCO must recommend changes in the procedures for addressing the needs of families and children. The OFCO is required to submit an annual report to the Governor and the Legislative Children's Oversight Committee, analyzing OFCO's work and making recommendations.

Findings Made by the Office of Family and Children's Ombudsman Concerning Allegations of Abuse and Neglect of Older Children and Adolescents. The OFCO's 2003 annual report stated that the OFCO had received complaints that referrals to Children's Protective Services (CPS) are often screened out or assigned for a lower standard of investigation, based on children's ages, on the assumption that an adolescent is able to protect himself, or herself, from abuse or neglect. The report further stated that, in some cases, referrals alleging maltreatment are referred to Family Reconciliation Services and characterized as a "family in conflict," based on children's ages, even though allegations of child abuse or neglect are present.

Summary: Within its existing resources, the DSHS must develop a curriculum and train staff members of the DSHS's Children's Administration how to screen and respond to referrals to

child protective services when those referrals may involve victims of abuse or neglect between the ages of eleven and eighteen. The curriculum must include certain elements, such as a review of relevant laws and policies, and an explanation of safety assessment and risk assessment models. The DSHS is required to request that the OFCO review and comment on its proposed training materials on this matter.

The DSHS must use the curriculum to train Children's Administration staff who screen intake calls and assess or provide services to older children and adolescents. The DSHS must train new staff on this matter.

The DSHS must conduct quarterly reviews through June 30, 2007 of a sampling of screening decisions by child protective services related to children between the ages of eleven and eighteen. The quarterly reviews must be used to improve practice and to improve the curriculum on this matter.

Votes on Final Passage:

Senate	49	0	
House	96	0	(House amended)
Senate	43	0	(Senate concurred)

Effective: July 24, 2005