

HB 2835 - S COMM AMD
By Committee on Ways & Means

ADOPTED AS AMENDED 03/07/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the safety of
4 children in foster care depends upon receipt of comprehensive,
5 accurate, and timely information about the background of prospective
6 foster parents. It is vital to ensure that all relevant information
7 about prospective foster parents is received and carefully reviewed.
8 The legislature believes that some foster parents may have previously
9 resided in other countries and that it is important to determine
10 whether those countries have background information on the prospective
11 foster parents that might impact the safety of children in their care.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.44 RCW
13 to read as follows:

14 (1) During an emergency situation when a child must be placed in
15 out-of-home care due to the absence of appropriate parents or
16 custodians, the department shall request a federal name-based criminal
17 history record check of each adult residing in the home of the
18 potential placement resource. Upon receipt of the results of the name-
19 based check, the department shall provide a complete set of each adult
20 resident's fingerprints to the Washington state patrol for submission
21 to the federal bureau of investigation within fourteen calendar days
22 from the date the name search was conducted. The child shall be
23 removed from the home immediately if any adult resident fails to
24 provide fingerprints and written permission to perform a federal
25 criminal history record check when requested.

26 (2) When placement of a child in a home is denied as a result of a
27 name-based criminal history record check of a resident, and the
28 resident contests that denial, the resident shall, within fifteen
29 calendar days, submit to the department a complete set of the

1 resident's fingerprints with written permission allowing the department
2 to forward the fingerprints to the Washington state patrol for
3 submission to the federal bureau of investigation.

4 (3) The Washington state patrol and the federal bureau of
5 investigation may each charge a reasonable fee for processing a
6 fingerprint-based criminal history record check.

7 (4) As used in this section, "emergency placement" refers to those
8 limited instances when the department is placing a child in the home of
9 private individuals, including neighbors, friends, or relatives, as a
10 result of a sudden unavailability of the child's primary caretaker.

11 **Sec. 3.** RCW 74.15.040 and 1982 c 118 s 7 are each amended to read
12 as follows:

13 An agency seeking to accept and serve children, developmentally
14 disabled persons, or expectant mothers as a foster-family home shall
15 make application for license in such form and substance as required by
16 the department. The department shall maintain a list of applicants
17 through which placement may be undertaken. However, agencies and the
18 department shall not place a child, developmentally disabled person, or
19 expectant mother in a home until the home is licensed. The department
20 shall inquire whether an applicant has previously resided in any other
21 state or foreign country and shall check databases available to it
22 through the Washington state patrol and federal bureau of investigation
23 to ascertain whether the applicant has ever been the subject of a
24 conviction or civil finding outside of the state of Washington that
25 bears upon the fitness of the applicant to serve as a foster-family
26 home. Foster-family homes shall be inspected prior to licensure,
27 except that inspection by the department is not required if the foster-
28 family home is under the supervision of a licensed agency upon
29 certification to the department by the licensed agency that such homes
30 meet the requirements for foster homes as adopted pursuant to chapter
31 74.15 RCW and RCW 74.13.031."

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1 On page 1, line 3 of the title, after "situation;" strike the
2 remainder of the title and insert "amending RCW 74.15.040; adding a new
3 section to chapter 26.44 RCW; and creating a new section."

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