

# HOUSE BILL REPORT

## SSB 5916

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*As Reported By House Committee on:  
Human Services*

**Title:** An act relating to the department of social and health services.

**Brief Description:** Changing foster care provisions and providing a grievance process.

**Sponsor(s):** Senate Committee on Children & Family Services (originally sponsored by Senators Roach, Talmadge, L. Smith and Stratton).

**Brief History:**

Reported by House Committee on:  
Human Services, April 4, 1991, DPA.

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**HOUSE COMMITTEE ON  
HUMAN SERVICES**

**Majority Report:** *Do pass as amended.* Signed by 11 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

**Staff:** David Knutson (786-7146).

**Background:** Foster parents and other individuals are concerned that when they have a complaint concerning a policy or action of the Department of Social and Health Services, there is no standard, formal grievance process to access, nor is there a neutral forum to hear and make decisions on such grievances.

**Summary of Amended Bill:** The Department of Social and Health Services is directed to develop and implement a complaint resolution process to review grievances pertaining to a Division of Children and Family Services policy or procedure, or the application of a division policy or procedure.

When a child resides in the home of a foster parent or relative pursuant to a disposition order, the court shall allow the foster parent or relative to attend dependency review proceedings pertaining to that child, for the sole

purpose of providing information to the court about the child. The department must inform the foster parent of the date and location of all dependency review hearings.

**Amended Bill Compared to Substitute Bill:** The complaint resolution process is changed from a formal process, including adjudicative proceedings under chapter 34.05 RCW, to an informal process operated by the Department of Social and Health Services. The requirement that foster parents be given written notice five days prior to a child being removed from the foster home is removed. The requirement that the Department of Social and Health Services develop specific material for persons participating in a foster-adopt program is removed. The ability of a foster-adopt parent to initiate termination proceedings involving the parent and foster child is removed. The ability of a foster parent to attain legal standing in the case of a foster child after 18 months is removed.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** The Department of Social and Health Services has no effective complaint resolution process for foster parents and others who feel the department has made a mistake. An independent complaint resolution process is preferable to an in house process. Foster-adopt parents should have the right to seek the termination of the biological parents rights when their child has been in foster care over 12 months. Foster parents who have a foster child in their home over 18 months should have legal standing regarding the future of the child in foster care.

**Testimony Against:** Biological and adoptive parents whose child is in foster care should not be challenged by foster parents for the legal custody of their child. Foster parents should provide a custodial service, while the court, Department of Social and Health Services, biological or adoptive parent, and child, all work to reunite the family. A complaint resolution process involving administrative hearings and superior court involvement is too time consuming and costly. The department should be allowed to establish an in-house complaint resolution process.

**Witnesses:** Senator Talmadge (pro); Timothy Sell, Public Defenders Association (con); Colleen Waterhouse, Department of Social and Health Services (con); Lee Ann Miller, Attorney General's Office (con); Laurie Lippold, Children's Home Society (pro); and Karen Sullivan and Betty Floyd, foster parents (pro).

