
SUBSTITUTE HOUSE BILL 2529

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Karahalios, Veloria and Mielke)

Read first time 02/04/94.

1 AN ACT Relating to adoption; and amending RCW 26.33.350 and
2 26.33.380.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 26.33.350 and 1991 c 136 s 4 are each amended to read
5 as follows:

6 (1) Every person, firm, society, association, ~~((or))~~ corporation,
7 or state agency receiving, securing a home for, or otherwise caring for
8 a minor child shall transmit to the prospective adopting parent prior
9 to placement and shall make available to all persons with whom a child
10 has been placed by adoption a complete medical report containing all
11 known and reasonably available information concerning the mental,
12 physical, and sensory handicaps of the child.

13 (2) The report shall not reveal the identity of the ~~((natural))~~
14 birth parent of the child except as authorized under this chapter but
15 shall include any known or reasonably available mental or physical
16 health history of the ~~((natural))~~ birth parent that needs to be known
17 by the adoptive parent to facilitate proper health care for the child
18 or that will assist the adoptive parent in maximizing the developmental
19 potential of the child.

1 (~~(2)~~) (3) Where known or reasonably available, the information
2 provided shall include:

3 (a) A review of the birth family's and the child's previous medical
4 history, (~~if available,~~) including the child's x-rays, examinations,
5 hospitalizations, and immunizations. After July 1, 1992, medical
6 histories shall be given on a standardized reporting form developed by
7 the department;

8 (b) A physical exam of the child by a licensed physician with
9 appropriate laboratory tests and x-rays;

10 (c) A referral to a specialist if indicated; and

11 (d) A written copy of the evaluation with recommendations to the
12 adoptive family receiving the report.

13 (4) Entities and persons obligated to provide information under
14 this section shall make reasonable efforts to locate records and
15 information concerning the child's mental, physical, and sensory
16 handicaps. The entities or persons providing the information have no
17 duty, beyond providing the information, to explain or interpret the
18 records or information regarding the child's present or future health.
19 If the entity or person providing the information has made reasonable
20 efforts to locate records and information and has provided known and
21 reasonably available information to the prospective adoptive parents,
22 the entity or person shall incur no liability regarding the child's
23 present or future health. Failure to make reasonable efforts to locate
24 information and records shall constitute ordinary negligence.

25 **Sec. 2.** RCW 26.33.380 and 1993 c 81 s 4 are each amended to read
26 as follows:

27 (1) Every person, firm, society, association, (~~or~~) corporation,
28 or state agency receiving, securing a home for, or otherwise caring for
29 a minor child shall transmit to the prospective adopting parent prior
30 to placement and shall make available to all persons with whom a child
31 has been placed by adoption, a family background and child and family
32 social history report, which includes a chronological history of the
33 circumstances surrounding the adoptive placement and any available
34 psychiatric reports, psychological reports, court reports pertaining to
35 dependency or custody, or school reports. Such reports or information
36 shall not reveal the identity of the birth parents of the child but
37 shall contain reasonably available nonidentifying information.

1 (2) Entities and persons obligated to provide information under
2 this section shall make reasonable efforts to locate records and
3 information concerning the child's family background and social
4 history. The entities or persons providing the information have no
5 duty, beyond providing the information, to explain or interpret the
6 records or information regarding the child's mental or physical health.
7 If the entity or person providing the information has made reasonable
8 efforts to locate records and information and has provided known and
9 reasonably available information to the prospective adoptive parents,
10 the entity or person shall incur no liability regarding the child's
11 mental or physical health. Failure to make reasonable efforts to
12 locate information and records shall constitute ordinary negligence.

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