
SENATE BILL 5279

State of Washington

56th Legislature

1999 Regular Session

By Senators Kohl-Welles, Hargrove, Long, Fairley, Prentice and Winsley

Read first time 01/18/1999. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to placement of children in mental health care by
2 the department of social and health services; adding new sections to
3 chapter 13.34 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature that
6 children in the custody of the department of social and health services
7 be provided the most appropriate possible mental health care consistent
8 with the child's best interests, medical need for mental health
9 treatment, available state and community resources, family
10 reconciliation, and professional standards of medical care. The
11 legislature intends that no placement of minors for mental health
12 treatment under this act be made on any other basis and that
13 consideration always be given to treatment in the least restrictive
14 manner.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34 RCW
16 to read as follows:

17 No minor child under the jurisdiction of the department pursuant to
18 this chapter or chapter 26.44 RCW shall be placed in a facility to

1 receive inpatient mental health treatment unless the secretary
2 determines: (1) It is medically necessary, based on an evaluation of
3 a person licensed under chapter 18.71 RCW, for the child to receive
4 treatment on an inpatient basis; (2) the facility in which a child is
5 placed offers the most appropriate treatment services and facilities
6 for the needs of the child; (3) the facility is the facility with
7 available treatment space closest to the child's parents unless the
8 secretary finds that placement in the facility closest to the parents
9 presents a risk of imminent harm to the child; (4) the facility
10 complies with all state-required licensing and professional standards
11 for providing inpatient mental health care to minors; (5) the facility
12 is sufficiently financially stable to continue in operation for the
13 foreseeable future; and (6) the proposed inpatient treatment includes
14 a plan to transfer the child to outpatient treatment as soon as such
15 change is medically appropriate.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.34 RCW
17 to read as follows:

18 If any child is placed in mental health treatment under this
19 chapter, the secretary shall determine whether it would create a risk
20 of imminent harm to the child to disclose to the parents the treatment
21 decision and placement of the child in a facility. The secretary shall
22 disclose the decision to provide treatment and the placement, unless he
23 or she determines such disclosure would create a risk of imminent harm
24 to the child. If the secretary determines that full disclosure would
25 create a risk of imminent harm to the child, the secretary shall
26 determine the amount of disclosure that should occur. The secretary
27 shall provide disclosure of the treatment decision and placement at the
28 earliest possible moment.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 13.34 RCW
30 to read as follows:

31 (1) The secretary shall maintain a list of all facilities to which
32 minor children under the jurisdiction of the department may be placed
33 for inpatient mental health treatment pursuant to this chapter or
34 chapter 26.44 RCW. The list shall be updated each time a facility is
35 added or deleted. The secretary shall publish the list once each year
36 in a format intended to provide the public the maximum opportunity to
37 learn the name, address, and telephone number of each facility.

1 (2) Not later than December 1st of each year, the secretary shall
2 provide the governor and legislature a report setting forth: (a) The
3 number of minor children under the jurisdiction of the department who
4 have been placed in mental health inpatient treatment; (b) the
5 facilities that received minor children for treatment; (c) the number
6 of minor children treated at each facility; and (d) the number of
7 inpatient treatment days provided at each facility for each child.

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