

# SENATE BILL REPORT

## SHB 2988

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As Reported By Senate Committee On:  
Children & Family Services & Corrections, February 26, 2004

**Title:** An act relating to foster parents' rights.

**Brief Description:** Protecting the rights of foster parents.

**Sponsors:** House Committee on Children & Family Services (originally sponsored by Representatives Boldt, Clements, Pearson, Bailey and McMahan).

**Brief History:**

**Committee Activity:** Children & Family Services & Corrections: 2/20/04, 2/26/04 [DPA].

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### SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Stevens, Chair; Parlette, Vice Chair; Carlson, Deccio, Hargrove, McAuliffe and Regala.

**Staff:** Edith Rice (786-7444)

**Background:** House Bill 1102 of 2001, relating to foster parents rights, was enacted in 2001 with a partial veto by the Governor. House Bill 1102 provided that foster parents have the right to be free of coercion, discrimination, and reprisal in serving foster children, including the right to voice grievances about treatment furnished or not furnished to the foster child.

Two sections of the bill were vetoed by the Governor. One of those two vetoed sections provided that no Department of Social and Health Services (DSHS) employee may retaliate or discriminate against a foster parent.

**Summary of Amended Bill:** Foster parents who believe they have been retaliated or discriminated against by the Department of Social and Health Services may file a complaint with the Office of Family and Children's Ombudsman (OFCO). OFCO will identify trends which may indicate a need to improve relations between DSHS and foster parents. OFCO must include recommendations regarding these complaints in its annual report.

**Amended Bill Compared to Substitute Bill:** Foster parents who believe they have been retaliated or discriminated against by the Department of Social and Health Services may file a complaint with the Office of Family and Children's Ombudsman (OFCO). OFCO will identify trends which may indicate a need to improve relations between DSHS and foster parents. OFCO will include recommendations regarding these complaints in its annual report. The substitute bill required DSHS to develop procedures to report violations of this act, take disciplinary action and report to the Legislature.

**Appropriation:** \$50,000.

**Fiscal Note:** Available. New fiscal note requested on February 6, 2004.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** We lack the ability to retain foster parents because DSHS relations with foster parents are strained. Even when proper channels are followed to express concerns, nothing is done by the department. Caseworkers have threatened foster parents with false allegations, intimidation. Social workers don't follow procedures. Foster parents need to know their rights.

**Testimony Against:** The department has made improvements in its relations with foster parents. Law already exists which addresses this issue. Some of these concerns are the result of personnel issues.

**Testified:** PRO: Representative Boldt, sponsor; Darlene Flowers, Foster Parents Association of Washington State; Cheri Covert, Central WA Foster Parents Association; Toni Boyd, Central WA Foster Parents Association; Char Wellner; Suzy Nickel, Foster Parents of Western WA; Sharon Parantt, Foster Parents Association; Steven Smith, Foster Parent; CON: Marjorie Fitzgerald, Children's Administration, DSHS.