

**2SHB 3115 - S AMD 422**

By Senators Hargrove, Stevens, Carrell

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Foster parents are able to successfully maintain placements of  
5 sexually reactive children, physically assaultive children, or children  
6 with other high-risk behaviors when they are provided with proper  
7 training and support. Lack of support contributes to placement  
8 disruptions and multiple moves between foster homes.

9 (2) Young children who have experienced repeated early abuse and  
10 trauma are at high risk for behavior later in life that is sexually  
11 deviant, if left untreated. Placement with a well-trained, prepared,  
12 and supported foster family can break this cycle.

13 NEW SECTION. **Sec. 2.** A foster parent critical support and  
14 retention program is established to retain foster parents who care for  
15 sexually reactive children, physically assaultive children, or children  
16 with other high-risk behaviors. Services shall consist of short-term  
17 therapeutic and educational interventions to support the stability of  
18 the placement. The foster parent critical support and retention  
19 program is to be implemented under the division of children and family  
20 services' contract and supervision. A contractor must demonstrate  
21 experience providing in-home case management, as well as experience  
22 working with caregivers of children with significant behavioral issues  
23 that pose a threat to others or themselves or the stability of the  
24 placement.

25 NEW SECTION. **Sec. 3.** Under the foster parent critical support and  
26 retention program, foster parents who care for sexually reactive  
27 children, physically assaultive children, or children with other high-  
28 risk behaviors shall receive:

1 (1) Availability at any time of the day or night to address  
2 specific concerns related to the identified child;

3 (2) Assessment of risk and development of a safety and supervision  
4 plan;

5 (3) Home-based foster parent training utilizing evidence-based  
6 models; and

7 (4) Referral to relevant community services and training provided  
8 by the local children's administration office or community agencies.

9 NEW SECTION. **Sec. 4.** The department of social and health services  
10 shall prepare and provide to the legislature, by December 1, 2006, a  
11 comprehensive report regarding the department's policies and practices  
12 relating to referrals, investigations, and records of child abuse and  
13 neglect allegations. At a minimum, the report shall include  
14 recommendations for improvement of the department's current practice  
15 to:

16 (1) Define terms relating to referrals and investigative findings;

17 (2) Provide guidelines for determining whether a referral is to be  
18 assigned and investigated;

19 (3) Manage records of calls which are received but not  
20 investigated;

21 (4) Establish a timeline for the destruction of records regarding  
22 investigations which resulted in no investigation, an inconclusive  
23 finding, or an unfounded finding;

24 (5) Disclose to foster parents information regarding sexually  
25 reactive and physically aggressive tendencies of children placed in  
26 their homes;

27 (6) Respond to allegations of abuse, neglect, or failure to  
28 supervise against foster parents when the allegations arise from the  
29 conduct of a child who is sexually reactive or has physically  
30 aggressive tendencies and the foster parent did not have prior  
31 knowledge of those tendencies or the child was not in the reasonable  
32 control of the foster parent; and

33 (7) Protect the due process rights of individuals who are not  
34 afforded the protection of the child abuse and prevention and treatment  
35 act.

1       **Sec. 5.** RCW 74.13.280 and 2001 c 318 s 3 are each amended to read  
2 as follows:

3       (1) Except as provided in RCW 70.24.105, whenever a child is placed  
4 in out-of-home care by the department or a child-placing agency, the  
5 department or agency shall share information about the child and the  
6 child's family with the care provider and shall consult with the care  
7 provider regarding the child's case plan. If the child is dependent  
8 pursuant to a proceeding under chapter 13.34 RCW, the department or  
9 agency shall keep the care provider informed regarding the dates and  
10 location of dependency review and permanency planning hearings  
11 pertaining to the child.

12       (2) Information about the child shall include information about  
13 behavioral and emotional problems of the child and whether the child is  
14 a sexually reactive child.

15       (3) Any person who receives information about a child or a child's  
16 family pursuant to this section shall keep the information confidential  
17 and shall not further disclose or disseminate the information except as  
18 authorized by law.

19       ~~((+3))~~ (4) Disclosure of any relevant health care information  
20 shall be consistent with RCW 70.24.105 and any guidelines or  
21 recommendations established by the department of health concerning  
22 disclosure of such information, including testing for and disclosure of  
23 information related to blood-borne pathogens.

24       (5) Nothing in this section shall be construed to limit the  
25 authority of the department or child-placing agencies to disclose  
26 client information or to maintain client confidentiality as provided by  
27 law."

**2SHB 3115** - S AMD

By Senators Hargrove, Stevens, Carrell

28       On page 1, line 2 of the title, after "program;" strike the  
29 remainder of the title and insert "amending RCW 74.13.280; and creating  
30 new sections."

--- END ---