

# SENATE BILL REPORT

## HB 1377

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As Reported By Senate Committee On:  
Human Services & Corrections, March 20, 2007  
Ways & Means, March 30, 2007

**Title:** An act relating to the placement of children.

**Brief Description:** Changing provisions affecting the placement of children.

**Sponsors:** Representatives Pettigrew, Hinkle, Walsh, Haler, Kagi, Appleton, Warnick and Roberts; by request of Department of Social and Health Services.

**Brief History:** Passed House: 2/23/07, 94-0.

**Committee Activity:** Human Services & Corrections: 3/16/07, 3/20/07 [DPA].  
Ways & Means: 3/30/07 [DPA(HSC)].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

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

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell, Marr and McAuliffe.

**Staff:** Kiki Keizer (786-7430)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended by Committee on Human Services & Corrections.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

**Staff:** Paula Moore (786-7449)

**Background:** A child may be removed from his or her home and taken into state custody if that child is abandoned or abused or neglected by a person legally responsible for his or her care.

State and federal law recognize a preference for placing a child who has been removed from home with relatives, as long as certain conditions are met to safeguard the child's health and safety.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In Washington, certain relatives may receive and care for a child who has been removed from home without going through the process of being licensed as foster homes. For example, the law allows blood relatives, including those of half-blood, and including first cousins, nephews or nieces, and grandparents; stepparents; stepbrothers and stepsisters; and others to receive a child who has been removed without being licensed as foster homes.

**Summary of Bill:** Second cousins and relatives of any half-sibling of a child who has been removed from home due to allegations of abuse or neglect or abandonment are added to the list of relatives who may receive and care for that child without being licensed as a foster home, as long as certain conditions are met to safeguard the child's health and safety.

The Department of Social and Health Services (DSHS) or any other agency supervising the child's placement also has the authority to place the child in the home of another suitable person if the child or family has a preexisting relationship with the person, the person has completed the required criminal history background checks, and the court finds that the placement is in the best interest of the child. Placement of the child with a relative must be given preference by the court.

**EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Human Services & Corrections):** Absent good cause, the DSHS or supervising agency must follow the wishes of the natural parent regarding the out-of-home placement of a child, in accordance with RCW 13.34.260. Conflicting language about the court giving preference to placement with a relative is eliminated. One technical change of "the individual" to "that person" to be consistent with references to a "person" throughout the subsection.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony (Human Services & Corrections):** PRO: It is important to place children within the context of family, if possible. The bill would expand the possibilities for children to be placed with people they know and have a significant relationship with.

**Persons Testifying (Human Services & Corrections):** PRO: Cheryl Stephani, Children's Administration, Department of Social and Health Services; Laurie Lippold, Children's Home Society.

**Staff Summary of Public Testimony (Ways & Means):** None.

**Persons Testifying (Ways & Means):** No one.