

SENATE BILL REPORT

SB 5245

As Reported By Senate Committee On:
Human Services & Corrections, February 16, 2007
Ways & Means, March 2, 2007

Title: An act relating to compliance with the federal safe and timely interstate placement of foster children.

Brief Description: Modifying foster children placement provisions.

Sponsors: Senators Hargrove, Brandland, McAuliffe, Stevens, Rockefeller and Shin; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services & Corrections: 1/16/07, 2/16/07 [DPS].
Ways & Means: 2/27/07, 3/02/07 [DPS(HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5245 be substituted therefor, and the substitute bill do pass.

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

Staff: Indu Thomas (786-7459)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5245 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

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, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Paula Moore (786-7449)

Background: The Safe and Timely Interstate Placement of Foster Children Act of 2006 was signed into law in July of 2006. This federal law amends Titles IV-B and IV-E of the Social Security Act. Under the law, state courts are required to ensure that foster parents, pre-adoptive parents, and relative care givers are given the right to be heard at hearings regarding

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the children in their care. The Federal Act also addresses the consideration and timeliness of interstate placements and the health and education records of foster children.

Pursuant to current state law, foster parents, pre-adoptive parents, and relative care givers are entitled to notice of proceedings with respect to the children in their care and are provided with an opportunity to be heard. The state is required to place the child in the least restrictive setting appropriate to the child's need and give preference to placement with the child's relatives. Health and education records should be included to the extent that they are available.

Summary of Bill: Foster Parents, pre-adoptive parents, or relatives have a right to be heard in proceedings in juvenile court that are related to the child in their care. The permanency plans of dependant children must include a statement as to whether both in-state and out-of-state placement options have been considered. The Children's Administration is authorized to obtain the child's most recent health and education information.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): CPS is required to inform parents that if shelter care status is granted the department will obtain the child's medical, dental, mental health and education records. Parents are advised that they may have the right to copies of those records. It is specified that the child's care provider will receive the most recent information available whenever a child is placed in out-of-home custody. Care-providers are required to sign written confidentiality agreements.

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: The Safe and Timely Interstate Placement of Foster Children Act of 2006 passed in 2006. Children's Administration is proposing this bill to bring the administration in alignment with the federal law. Foster parents will have the right to speak in court hearings. This requirement will be a positive change for foster parents as the practices across the state vary.

The federal law requires that the agency provide the child's most recent and available health and education information to the foster care provider at the time of placement. The information would become part of the child's record and transmitted to other states if the child is placed out of state. The Children's Administration currently has procedures in place to provide critical health information to foster care providers so that the caretakers are able to care for the child. The requirement to obtain the most recent information is very consistent with legislation from recent years.

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

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

Persons Testifying (Ways & Means): No one.