

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1287

Chapter 409, Laws of 2007

(partial veto)

60th Legislature
2007 Regular Session

FOSTER CHILDREN PLACEMENT

EFFECTIVE DATE: 07/01/07

Passed by the House April 14, 2007
Yeas 94 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 10, 2007
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved May 11, 2007, 9:54 a.m., with
the exception of sections 3 and 4 which
are vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk
of the House of Representatives of
the State of Washington, do hereby
certify that the attached is
certify that the attached is
SUBSTITUTE HOUSE BILL 1287 as
passed by the House of
Representatives and the Senate on
the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 11, 2007

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1287

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Early Learning & Children's Services
(originally sponsored by Representatives Kagi, Hinkle, Walsh, Haler,
Appleton, Simpson, Moeller and Kenney; by request of Department of
Social and Health Services)

READ FIRST TIME 3/5/07.

1 AN ACT Relating to compliance with the federal safe and timely
2 interstate placement of foster children; amending RCW 13.34.138,
3 13.34.145, 13.34.062, 74.13.280, and 74.13.285; adding new sections to
4 chapter 13.34 RCW; providing an effective date; and declaring an
5 emergency.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 13.34 RCW
8 to read as follows:

9 The department of social and health services or other supervising
10 agency shall provide the child's foster parents, preadoptive parents,
11 or other caregivers with notice of their right to be heard prior to
12 each proceeding held with respect to the child in juvenile court under
13 this chapter. The rights to notice and to be heard apply only to
14 persons with whom a child has been placed by the department or other
15 supervising agency and who are providing care to the child at the time
16 of the proceeding. This section shall not be construed to grant party
17 status to any person solely on the basis of such notice and right to be
18 heard.

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

3 If a child is placed in the custody of the department of social and
4 health services or other supervising agency, immediately following the
5 shelter care hearing, an order and authorization regarding health care
6 and education records for the child shall be entered. The order shall:

7 (1) Provide the department or other supervising agency with the
8 right to inspect and copy all health, medical, mental health, and
9 education records of the child;

10 (2) Authorize and direct any agency, hospital, doctor, nurse,
11 dentist, orthodontist, or other health care provider, therapist, drug
12 or alcohol treatment provider, psychologist, psychiatrist, or mental
13 health clinic, or health or medical records custodian or document
14 management company, or school or school organization to permit the
15 department or other supervising agency to inspect and to obtain copies
16 of any records relating to the child involved in the case, without the
17 further consent of the parent or guardian of the child; and

18 (3) Grant the department or other supervising agency or its
19 designee the authority and responsibility, where applicable, to:

20 (a) Notify the child's school that the child is in out-of-home
21 placement;

22 (b) Enroll the child in school;

23 (c) Request the school transfer records;

24 (d) Request and authorize evaluation of special needs;

25 (e) Attend parent or teacher conferences;

26 (f) Excuse absences;

27 (g) Grant permission for extracurricular activities;

28 (h) Authorize medications which need to be administered during
29 school hours and sign for medical needs that arise during school hours;
30 and

31 (i) Complete or update school emergency records.

32 Access to records under this section is subject to the child's
33 consent where required by other state and federal laws.

34 ****Sec. 3. RCW 13.34.138 and 2005 c 512 s 3 are each amended to read***
35 ***as follows:***

36 ***(1) Except for children whose cases are reviewed by a citizen***
37 ***review board under chapter 13.70 RCW, the status of all children found***

1 to be dependent shall be reviewed by the court at least every six
2 months from the beginning date of the placement episode or the date
3 dependency is established, whichever is first, at a hearing in which it
4 shall be determined whether court supervision should continue. The
5 initial review hearing shall be an in-court review and shall be set six
6 months from the beginning date of the placement episode or no more than
7 ninety days from the entry of the disposition order, whichever comes
8 first. The initial review hearing may be a permanency planning hearing
9 when necessary to meet the time frames set forth in RCW 13.34.145(3) or
10 13.34.134. The review shall include findings regarding the agency and
11 parental completion of disposition plan requirements, and if necessary,
12 revised permanency time limits. This review shall consider both the
13 agency's and parent's efforts that demonstrate consistent measurable
14 progress over time in meeting the disposition plan requirements. The
15 requirements for the initial review hearing, including the in-court
16 requirement, shall be accomplished within existing resources. ((The
17 supervising agency shall provide a foster parent, preadoptive parent,
18 or relative with notice of, and their right to an opportunity to be
19 heard in, a review hearing pertaining to the child, but only if that
20 person is currently providing care to that child at the time of the
21 hearing. This section shall not be construed to grant party status to
22 any person who has been provided an opportunity to be heard.))

23 (a) A child shall not be returned home at the review hearing unless
24 the court finds that a reason for removal as set forth in RCW 13.34.130
25 no longer exists. The parents, guardian, or legal custodian shall
26 report to the court the efforts they have made to correct the
27 conditions which led to removal. If a child is returned, casework
28 supervision shall continue for a period of six months, at which time
29 there shall be a hearing on the need for continued intervention.

30 (b) If the child is not returned home, the court shall establish in
31 writing:

32 (i) Whether reasonable services have been provided to or offered to
33 the parties to facilitate reunion, specifying the services provided or
34 offered;

35 (ii) Whether the child has been placed in the least-restrictive
36 setting appropriate to the child's needs, including whether
37 consideration and preference has been given to placement with the

1 child's relatives, and whether both in-state and, where appropriate,
2 out-of-state placements have been considered;

3 (iii) Whether there is a continuing need for placement and whether
4 the placement is appropriate;

5 (iv) Whether there has been compliance with the case plan by the
6 child, the child's parents, and the agency supervising the placement;

7 (v) Whether progress has been made toward correcting the problems
8 that necessitated the child's placement in out-of-home care;

9 (vi) Whether the parents have visited the child and any reasons why
10 visitation has not occurred or has been infrequent;

11 (vii) Whether additional services, including housing assistance,
12 are needed to facilitate the return of the child to the child's
13 parents; if so, the court shall order that reasonable services be
14 offered specifying such services; and

15 (viii) The projected date by which the child will be returned home
16 or other permanent plan of care will be implemented.

17 (c) The court at the review hearing may order that a petition
18 seeking termination of the parent and child relationship be filed.

19 (2)(a) In any case in which the court orders that a dependent child
20 may be returned to or remain in the child's home, the in-home placement
21 shall be contingent upon the following:

22 (i) The compliance of the parents with court orders related to the
23 care and supervision of the child, including compliance with an agency
24 case plan; and

25 (ii) The continued participation of the parents, if applicable, in
26 available substance abuse or mental health treatment if substance abuse
27 or mental illness was a contributing factor to the removal of the
28 child.

29 (b) The following may be grounds for removal of the child from the
30 home, subject to review by the court:

31 (i) Noncompliance by the parents with the agency case plan or court
32 order;

33 (ii) The parent's inability, unwillingness, or failure to
34 participate in available services or treatment for themselves or the
35 child, including substance abuse treatment if a parent's substance
36 abuse was a contributing factor to the abuse or neglect; or

37 (iii) The failure of the parents to successfully and substantially

1 complete available services or treatment for themselves or the child,
2 including substance abuse treatment if a parent's substance abuse was
3 a contributing factor to the abuse or neglect.

4 (3) The court's ability to order housing assistance under RCW
5 13.34.130 and this section is: (a) Limited to cases in which
6 homelessness or the lack of adequate and safe housing is the primary
7 reason for an out-of-home placement; and (b) subject to the
8 availability of funds appropriated for this specific purpose.

9 (4) The court shall consider the child's relationship with siblings
10 in accordance with RCW 13.34.130(3).

*Sec. 3 was vetoed. See message at end of chapter.

11 *Sec. 4. RCW 13.34.145 and 2003 c 227 s 6 are each amended to read
12 as follows:

13 (1) A permanency plan shall be developed no later than sixty days
14 from the time the supervising agency assumes responsibility for
15 providing services, including placing the child, or at the time of a
16 hearing under RCW 13.34.130, whichever occurs first. The permanency
17 planning process continues until a permanency planning goal is achieved
18 or dependency is dismissed. The planning process shall include
19 reasonable efforts to return the child to the parent's home.

20 (a) Whenever a child is placed in out-of-home care pursuant to RCW
21 13.34.130, the agency that has custody of the child shall provide the
22 court with a written permanency plan of care directed towards securing
23 a safe, stable, and permanent home for the child as soon as possible.
24 The plan shall identify one of the following outcomes as the primary
25 goal and may also identify additional outcomes as alternative goals:
26 Return of the child to the home of the child's parent, guardian, or
27 legal custodian; adoption; guardianship; permanent legal custody; long-
28 term relative or foster care, until the child is age eighteen, with a
29 written agreement between the parties and the care provider; a
30 responsible living skills program; and independent living, if
31 appropriate and if the child is age sixteen or older and the provisions
32 of subsection (2) of this section are met. The plan shall state
33 whether both in-state and, where appropriate, out-of-state placement
34 options have been considered by the agency.

35 (b) The identified outcomes and goals of the permanency plan may
36 change over time based upon the circumstances of the particular case.

1 (c) Permanency planning goals should be achieved at the earliest
2 possible date, preferably before the child has been in out-of-home care
3 for fifteen months. In cases where parental rights have been
4 terminated, the child is legally free for adoption, and adoption has
5 been identified as the primary permanency planning goal, it shall be a
6 goal to complete the adoption within six months following entry of the
7 termination order.

8 (d) For purposes related to permanency planning:

9 (i) "Guardianship" means a dependency guardianship, a legal
10 guardianship pursuant to chapter 11.88 RCW, or equivalent laws of
11 another state or a federally recognized Indian tribe.

12 (ii) "Permanent custody order" means a custody order entered
13 pursuant to chapter 26.10 RCW.

14 (iii) "Permanent legal custody" means legal custody pursuant to
15 chapter 26.10 RCW or equivalent laws of another state or of a federally
16 recognized Indian tribe.

17 (2) Whenever a permanency plan identifies independent living as a
18 goal, the plan shall also specifically identify the services that will
19 be provided to assist the child to make a successful transition from
20 foster care to independent living. Before the court approves
21 independent living as a permanency plan of care, the court shall make
22 a finding that the provision of services to assist the child in making
23 a transition from foster care to independent living will allow the
24 child to manage his or her financial, personal, social, educational,
25 and nonfinancial affairs. The department shall not discharge a child
26 to an independent living situation before the child is eighteen years
27 of age unless the child becomes emancipated pursuant to chapter 13.64
28 RCW.

29 (3) A permanency planning hearing shall be held in all cases where
30 the child has remained in out-of-home care for at least nine months and
31 an adoption decree, guardianship order, or permanent custody order has
32 not previously been entered. The hearing shall take place no later
33 than twelve months following commencement of the current placement
34 episode.

35 (4) Whenever a child is removed from the home of a dependency
36 guardian or long-term relative or foster care provider, and the child
37 is not returned to the home of the parent, guardian, or legal custodian
38 but is placed in out-of-home care, a permanency planning hearing shall

1 take place no later than twelve months, as provided in subsection (3)
2 of this section, following the date of removal unless, prior to the
3 hearing, the child returns to the home of the dependency guardian or
4 long-term care provider, the child is placed in the home of the parent,
5 guardian, or legal custodian, an adoption decree, guardianship order,
6 or a permanent custody order is entered, or the dependency is
7 dismissed.

8 (5) No later than ten working days prior to the permanency planning
9 hearing, the agency having custody of the child shall submit a written
10 permanency plan to the court and shall mail a copy of the plan to all
11 parties and their legal counsel, if any.

12 (6) At the permanency planning hearing, the court shall enter
13 findings as required by RCW 13.34.138 and shall review the permanency
14 plan prepared by the agency. If the child has resided in the home of
15 a foster parent or relative for more than six months prior to the
16 permanency planning hearing, the court shall also enter a finding
17 regarding whether the foster parent or relative was informed of the
18 hearing as required in RCW 74.13.280 and 13.34.138. If a goal of long-
19 term foster or relative care has been achieved prior to the permanency
20 planning hearing, the court shall review the child's status to
21 determine whether the placement and the plan for the child's care
22 remain appropriate. In cases where the primary permanency planning
23 goal has not been achieved, the court shall inquire regarding the
24 reasons why the primary goal has not been achieved and determine what
25 needs to be done to make it possible to achieve the primary goal. In
26 all cases, the court shall:

27 (a)(i) Order the permanency plan prepared by the agency to be
28 implemented; or

29 (ii) Modify the permanency plan, and order implementation of the
30 modified plan; and

31 (b)(i) Order the child returned home only if the court finds that
32 a reason for removal as set forth in RCW 13.34.130 no longer exists; or

33 (ii) Order the child to remain in out-of-home care for a limited
34 specified time period while efforts are made to implement the
35 permanency plan.

36 (7) If the court orders the child returned home, casework
37 supervision shall continue for at least six months, at which time a

1 review hearing shall be held pursuant to RCW 13.34.138, and the court
2 shall determine the need for continued intervention.

3 (8) The juvenile court may hear a petition for permanent legal
4 custody when: (a) The court has ordered implementation of a permanency
5 plan that includes permanent legal custody; and (b) the party pursuing
6 the permanent legal custody is the party identified in the permanency
7 plan as the prospective legal custodian. During the pendency of such
8 proceeding, the court shall conduct review hearings and further
9 permanency planning hearings as provided in this chapter. At the
10 conclusion of the legal guardianship or permanent legal custody
11 proceeding, a juvenile court hearing shall be held for the purpose of
12 determining whether dependency should be dismissed. If a guardianship
13 or permanent custody order has been entered, the dependency shall be
14 dismissed.

15 (9) Continued juvenile court jurisdiction under this chapter shall
16 not be a barrier to the entry of an order establishing a legal
17 guardianship or permanent legal custody when the requirements of
18 subsection (8) of this section are met.

19 (10) Following the first permanency planning hearing, the court
20 shall hold a further permanency planning hearing in accordance with
21 this section at least once every twelve months until a permanency
22 planning goal is achieved or the dependency is dismissed, whichever
23 occurs first.

24 (11) Except as provided in RCW 13.34.235, the status of all
25 dependent children shall continue to be reviewed by the court at least
26 once every six months, in accordance with RCW 13.34.138, until the
27 dependency is dismissed. Prior to the second permanency planning
28 hearing, the agency that has custody of the child shall consider
29 whether to file a petition for termination of parental rights.

30 (12) Nothing in this chapter may be construed to limit the ability
31 of the agency that has custody of the child to file a petition for
32 termination of parental rights or a guardianship petition at any time
33 following the establishment of dependency. Upon the filing of such a
34 petition, a fact-finding hearing shall be scheduled and held in
35 accordance with this chapter unless the agency requests dismissal of
36 the petition prior to the hearing or unless the parties enter an agreed
37 order terminating parental rights, establishing guardianship, or
38 otherwise resolving the matter.

1 (13) The approval of a permanency plan that does not contemplate
2 return of the child to the parent does not relieve the supervising
3 agency of its obligation to provide reasonable services, under this
4 chapter, intended to effectuate the return of the child to the parent,
5 including but not limited to, visitation rights. The court shall
6 consider the child's relationships with siblings in accordance with RCW
7 13.34.130.

8 (14) Nothing in this chapter may be construed to limit the
9 procedural due process rights of any party in a termination or
10 guardianship proceeding filed under this chapter.

**Sec. 4 was vetoed. See message at end of chapter.*

11 Sec. 5. RCW 13.34.062 and 2004 c 147 s 2 are each amended to read
12 as follows:

13 (1) The written notice of custody and rights required by RCW
14 13.34.060 shall be in substantially the following form:

15 "NOTICE

16 Your child has been placed in temporary custody under the
17 supervision of Child Protective Services (or other person or agency).
18 You have important legal rights and you must take steps to protect your
19 interests.

20 1. A court hearing will be held before a judge within 72 hours of
21 the time your child is taken into custody excluding Saturdays, Sundays,
22 and holidays. You should call the court at ____ (insert appropriate
23 phone number here) _____ for specific information about the date, time,
24 and location of the court hearing.

25 2. You have the right to have a lawyer represent you at the
26 hearing. Your right to representation continues after the shelter care
27 hearing. You have the right to records the department intends to rely
28 upon. A lawyer can look at the files in your case, talk to child
29 protective services and other agencies, tell you about the law, help
30 you understand your rights, and help you at hearings. If you cannot
31 afford a lawyer, the court will appoint one to represent you. To get
32 a court-appointed lawyer you must contact: ____ (explain local
33 procedure) _____.

34 3. At the hearing, you have the right to speak on your own behalf,
35 to introduce evidence, to examine witnesses, and to receive a decision
36 based solely on the evidence presented to the judge.

1 4. If your hearing occurs before a court commissioner, you have the
2 right to have the decision of the court commissioner reviewed by a
3 superior court judge. To obtain that review, you must, within ten days
4 after the entry of the decision of the court commissioner, file with
5 the court a motion for revision of the decision, as provided in RCW
6 2.24.050.

7 You should be present at any shelter care hearing. If you do not
8 come, the judge will not hear what you have to say.

9 You may call the Child Protective Services' caseworker for more
10 information about your child. The caseworker's name and telephone
11 number are: (insert name and telephone number) .

12 5. You have a right to a case conference to develop a written
13 service agreement following the shelter care hearing. The service
14 agreement may not conflict with the court's order of shelter care. You
15 may request that a multidisciplinary team, family group conference, or
16 prognostic staffing be convened for your child's case. You may
17 participate in these processes with your counsel present.

18 6. If your child is placed in the custody of the department of
19 social and health services or other supervising agency, immediately
20 following the shelter care hearing, the court will enter an order
21 granting the department or other supervising agency the right to
22 inspect and copy all health, medical, mental health, and education
23 records of the child, directing health care providers to release such
24 information without your further consent, and granting the department
25 or supervising agency or its designee the authority and responsibility,
26 where applicable, to:

27 (1) Notify the child's school that the child is in out-of-home
28 placement;

29 (2) Enroll the child in school;

30 (3) Request the school transfer records;

31 (4) Request and authorize evaluation of special needs;

32 (5) Attend parent or teacher conferences;

33 (6) Excuse absences;

34 (7) Grant permission for extracurricular activities;

35 (8) Authorize medications which need to be administered during
36 school hours and sign for medical needs that arise during school hours;
37 and

38 (9) Complete or update school emergency records."

1 Upon receipt of the written notice, the parent, guardian, or legal
2 custodian shall acknowledge such notice by signing a receipt prepared
3 by child protective services. If the parent, guardian, or legal
4 custodian does not sign the receipt, the reason for lack of a signature
5 shall be written on the receipt. The receipt shall be made a part of
6 the court's file in the dependency action.

7 If after making reasonable efforts to provide notification, child
8 protective services is unable to determine the whereabouts of the
9 parents, guardian, or legal custodian, the notice shall be delivered or
10 sent to the last known address of the parent, guardian, or legal
11 custodian.

12 (2) If child protective services is not required to give notice
13 under RCW 13.34.060(2) and subsection (1) of this section, the juvenile
14 court counselor assigned to the matter shall make all reasonable
15 efforts to advise the parents, guardian, or legal custodian of the time
16 and place of any shelter care hearing, request that they be present,
17 and inform them of their basic rights as provided in RCW 13.34.090.

18 (3) Reasonable efforts to advise and to give notice, as required in
19 RCW 13.34.060(2) and subsections (1) and (2) of this section, shall
20 include, at a minimum, investigation of the whereabouts of the parent,
21 guardian, or legal custodian. If such reasonable efforts are not
22 successful, or the parent, guardian, or legal custodian does not appear
23 at the shelter care hearing, the petitioner shall testify at the
24 hearing or state in a declaration:

25 (a) The efforts made to investigate the whereabouts of, and to
26 advise, the parent, guardian, or legal custodian; and

27 (b) Whether actual advice of rights was made, to whom it was made,
28 and how it was made, including the substance of any oral communication
29 or copies of written materials used.

30 (4) The court shall hear evidence regarding notice given to, and
31 efforts to notify, the parent, guardian, or legal custodian and shall
32 examine the need for shelter care. The court shall hear evidence
33 regarding the efforts made to place the child with a relative. The
34 court shall make an express finding as to whether the notice required
35 under RCW 13.34.060(2) and subsections (1) and (2) of this section was
36 given to the parent, guardian, or legal custodian. All parties have
37 the right to present testimony to the court regarding the need or lack
38 of need for shelter care. Hearsay evidence before the court regarding

1 the need or lack of need for shelter care must be supported by sworn
2 testimony, affidavit, or declaration of the person offering such
3 evidence.

4 (5)(a) A shelter care order issued pursuant to RCW 13.34.065 shall
5 include the requirement for a case conference as provided in RCW
6 13.34.067. However, if the parent is not present at the shelter care
7 hearing, or does not agree to the case conference, the court shall not
8 include the requirement for the case conference in the shelter care
9 order.

10 (b) If the court orders a case conference, the shelter care order
11 shall include notice to all parties and establish the date, time, and
12 location of the case conference which shall be no later than thirty
13 days prior to the fact-finding hearing.

14 (c) The court may order a conference or meeting as an alternative
15 to the case conference required under RCW 13.34.067 so long as the
16 conference or meeting ordered by the court meets all requirements under
17 RCW 13.34.067, including the requirement of a written agreement
18 specifying the services to be provided to the parent.

19 (6) A shelter care order issued pursuant to RCW 13.34.065 may be
20 amended at any time with notice and hearing thereon. The shelter care
21 decision of placement shall be modified only upon a showing of change
22 in circumstances. No child may be placed in shelter care for longer
23 than thirty days without an order, signed by the judge, authorizing
24 continued shelter care.

25 (7) Any parent, guardian, or legal custodian who for good cause is
26 unable to attend the initial shelter care hearing may request that a
27 subsequent shelter care hearing be scheduled. The request shall be
28 made to the clerk of the court where the petition is filed prior to the
29 initial shelter care hearing. Upon the request of the parent, the
30 court shall schedule the hearing within seventy-two hours of the
31 request, excluding Saturdays, Sundays, and holidays. The clerk shall
32 notify all other parties of the hearing by any reasonable means.

33 **Sec. 6.** RCW 74.13.280 and 2001 c 318 s 3 are each amended to read
34 as follows:

35 (1) Except as provided in RCW 70.24.105, whenever a child is placed
36 in out-of-home care by the department or a child-placing agency, the
37 department or agency shall share information about the child and the

1 child's family with the care provider and shall consult with the care
2 provider regarding the child's case plan. If the child is dependent
3 pursuant to a proceeding under chapter 13.34 RCW, the department or
4 agency shall keep the care provider informed regarding the dates and
5 location of dependency review and permanency planning hearings
6 pertaining to the child.

7 (2) Any person who receives information about a child or a child's
8 family pursuant to this section shall keep the information confidential
9 and shall not further disclose or disseminate the information except as
10 authorized by law. Care providers shall agree in writing to keep the
11 information that they receive confidential and shall affirm that the
12 information will not be further disclosed or disseminated, except as
13 authorized by law.

14 (3) Nothing in this section shall be construed to limit the
15 authority of the department or child-placing agencies to disclose
16 client information or to maintain client confidentiality as provided by
17 law.

18 **Sec. 7.** RCW 74.13.285 and 2000 c 88 s 2 are each amended to read
19 as follows:

20 (1) Within available resources, the department shall prepare a
21 passport containing all known and available information concerning the
22 mental, physical, health, and educational status of the child for any
23 child who has been in a foster home for ninety consecutive days or
24 more. The passport shall contain education records obtained pursuant
25 to RCW 28A.150.510. The passport shall be provided to a foster parent
26 at any placement of a child covered by this section. The department
27 shall update the passport during the regularly scheduled court reviews
28 required under chapter 13.34 RCW.

29 New placements after July 1, 1997, shall have first priority in the
30 preparation of passports. Within available resources, the department
31 may prepare passports for any child in a foster home on July 1, 1997,
32 provided that no time spent in a foster home before July 1, 1997, shall
33 be included in the computation of the ninety days.

34 (2) In addition to the requirements of subsection (1) of this
35 section, the department shall, within available resources, notify a
36 foster parent before placement of a child of any known health

1 conditions that pose a serious threat to the child and any known
2 behavioral history that presents a serious risk of harm to the child or
3 others.

4 (3) The department shall hold harmless the provider for any
5 unauthorized disclosures caused by the department.

6 (4) Any foster parent who receives information about a child or a
7 child's family pursuant to this section shall keep the information
8 confidential and shall not further disclose or disseminate the
9 information, except as authorized by law. Such individuals shall agree
10 in writing to keep the information that they receive confidential and
11 shall affirm that the information will not be further disclosed or
12 disseminated, except as authorized by law.

13 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 July 1, 2007.

Passed by the House April 14, 2007.

Passed by the Senate April 10, 2007.

Approved by the Governor May 11, 2007, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 11, 2007.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Sections 3 and 4,
Substitute House Bill 1287 entitled:

"AN ACT Relating to compliance with the federal safe and timely
interstate placement of foster children."

Section 3 of this bill amends RCW 13.34.138, which pertains to
judicial review of hearings for children in dependant care.
Likewise, Section 4 of this bill amends RCW 13.34.145, which pertains
to court permanency plan hearings for children in dependant care.
The amendments outlined in Section 3 and 4 of this bill are
unnecessary as they are incorporated into the amendments of Engrossed
Substitute House Bill 1624.

Section 8 of Engrossed Substitute House Bill 1624, which passed this
Legislative session, also amends and substantially reorganizes RCW
13.34.138. Section 9 of Engrossed Substitute House Bill 1624 also
amends and substantially reorganizes RCW 13.34.145. The
reorganization of RCW 13.34.138 and RCW 13.34.145 in Engrossed
Substitute House Bill 1624 would likely make it difficult to
incorporate the changes outlined in Sections 3 and 4 of this bill.

For these reasons, I have vetoed Sections 3 and 4 of Substitute House
Bill 1287.

With the exception of Sections 3 and 4, Substitute House Bill 1287 is
approved."