

ESSB 6555 - H COMM AMD

By Committee on Early Learning & Human Services

ADOPTED AS AMENDED 03/01/2012

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

3 "Sec. 1. RCW 26.44.020 and 2010 c 176 s 1 are each reenacted and  
4 amended to read as follows:

5 The definitions in this section apply throughout this chapter  
6 unless the context clearly requires otherwise.

7 (1) "Abuse or neglect" means sexual abuse, sexual exploitation, or  
8 injury of a child by any person under circumstances which cause harm to  
9 the child's health, welfare, or safety, excluding conduct permitted  
10 under RCW 9A.16.100; or the negligent treatment or maltreatment of a  
11 child by a person responsible for or providing care to the child. An  
12 abused child is a child who has been subjected to child abuse or  
13 neglect as defined in this section.

14 (2) "Child" or "children" means any person under the age of  
15 eighteen years of age.

16 (3) "Child protective services" means those services provided by  
17 the department designed to protect children from child abuse and  
18 neglect and safeguard such children from future abuse and neglect, and  
19 conduct investigations of child abuse and neglect reports.  
20 Investigations may be conducted regardless of the location of the  
21 alleged abuse or neglect. Child protective services includes referral  
22 to services to ameliorate conditions that endanger the welfare of  
23 children, the coordination of necessary programs and services relevant  
24 to the prevention, intervention, and treatment of child abuse and  
25 neglect, and services to children to ensure that each child has a  
26 permanent home. In determining whether protective services should be  
27 provided, the department shall not decline to provide such services  
28 solely because of the child's unwillingness or developmental inability  
29 to describe the nature and severity of the abuse or neglect.

1 (4) "Child protective services section" means the child protective  
2 services section of the department.

3 (5) "Children's advocacy center" means a child-focused facility in  
4 good standing with the state chapter for children's advocacy centers  
5 and that coordinates a multidisciplinary process for the investigation,  
6 prosecution, and treatment of sexual and other types of child abuse.  
7 Children's advocacy centers provide a location for forensic interviews  
8 and coordinate access to services such as, but not limited to, medical  
9 evaluations, advocacy, therapy, and case review by multidisciplinary  
10 teams within the context of county protocols as defined in RCW  
11 26.44.180 and 26.44.185.

12 (6) "Clergy" means any regularly licensed or ordained minister,  
13 priest, or rabbi of any church or religious denomination, whether  
14 acting in an individual capacity or as an employee or agent of any  
15 public or private organization or institution.

16 (7) "Court" means the superior court of the state of Washington,  
17 juvenile department.

18 (8) "Department" means the state department of social and health  
19 services.

20 (9) "Family assessment" means a comprehensive assessment of child  
21 safety, risk of subsequent child abuse or neglect, and family strengths  
22 and needs that is applied to a child abuse or neglect report. Family  
23 assessment does not include a determination as to whether child abuse  
24 or neglect occurred, but does determine the need for services to  
25 address the safety of the child and the risk of subsequent  
26 maltreatment.

27 (10) "Family assessment response" means a way of responding to  
28 certain reports of child abuse or neglect made under this chapter using  
29 a differential response approach to child protective services. The  
30 family assessment response shall focus on the safety of the child, the  
31 integrity and preservation of the family, and shall assess the status  
32 of the child and the family in terms of risk of abuse and neglect  
33 including the parent's or guardian's or other caretaker's capacity and  
34 willingness to protect the child and, if necessary, plan and arrange  
35 the provision of services to reduce the risk and otherwise support the  
36 family. No one is named as a perpetrator, and no investigative finding  
37 is entered in the record as a result of a family assessment.

1        (11) "Founded" means the determination following an investigation  
2 by the department that, based on available information, it is more  
3 likely than not that child abuse or neglect did occur.

4        ~~((+10+))~~ (12) "Inconclusive" means the determination following an  
5 investigation by the department, prior to October 1, 2008, that based  
6 on available information a decision cannot be made that more likely  
7 than not, child abuse or neglect did or did not occur.

8        ~~((+11+))~~ (13) "Institution" means a private or public hospital or  
9 any other facility providing medical diagnosis, treatment, or care.

10        ~~((+12+))~~ (14) "Law enforcement agency" means the police department,  
11 the prosecuting attorney, the state patrol, the director of public  
12 safety, or the office of the sheriff.

13        ~~((+13+))~~ (15) "Malice" or "maliciously" means an intent, wish, or  
14 design to intimidate, annoy, or injure another person. Such malice may  
15 be inferred from an act done in willful disregard of the rights of  
16 another, or an act wrongfully done without just cause or excuse, or an  
17 act or omission of duty betraying a willful disregard of social duty.

18        ~~((+14+))~~ (16) "Negligent treatment or maltreatment" means an act or  
19 a failure to act, or the cumulative effects of a pattern of conduct,  
20 behavior, or inaction, that evidences a serious disregard of  
21 consequences of such magnitude as to constitute a clear and present  
22 danger to a child's health, welfare, or safety, including but not  
23 limited to conduct prohibited under RCW 9A.42.100. When considering  
24 whether a clear and present danger exists, evidence of a parent's  
25 substance abuse as a contributing factor to negligent treatment or  
26 maltreatment shall be given great weight. The fact that siblings share  
27 a bedroom is not, in and of itself, negligent treatment or  
28 maltreatment. Poverty, homelessness, or exposure to domestic violence  
29 as defined in RCW 26.50.010 that is perpetrated against someone other  
30 than the child does not constitute negligent treatment or maltreatment  
31 in and of itself.

32        ~~((+15+))~~ (17) "Pharmacist" means any registered pharmacist under  
33 chapter 18.64 RCW, whether acting in an individual capacity or as an  
34 employee or agent of any public or private organization or institution.

35        ~~((+16+))~~ (18) "Practitioner of the healing arts" or "practitioner"  
36 means a person licensed by this state to practice podiatric medicine  
37 and surgery, optometry, chiropractic, nursing, dentistry, osteopathic  
38 medicine and surgery, or medicine and surgery or to provide other

1 health services. The term "practitioner" includes a duly accredited  
2 Christian Science practitioner. A person who is being furnished  
3 Christian Science treatment by a duly accredited Christian Science  
4 practitioner will not be considered, for that reason alone, a neglected  
5 person for the purposes of this chapter.

6 ~~((+17))~~ (19) "Professional school personnel" include, but are not  
7 limited to, teachers, counselors, administrators, child care facility  
8 personnel, and school nurses.

9 ~~((+18))~~ (20) "Psychologist" means any person licensed to practice  
10 psychology under chapter 18.83 RCW, whether acting in an individual  
11 capacity or as an employee or agent of any public or private  
12 organization or institution.

13 ~~((+19))~~ (21) "Screened-out report" means a report of alleged child  
14 abuse or neglect that the department has determined does not rise to  
15 the level of a credible report of abuse or neglect and is not referred  
16 for investigation.

17 ~~((+20))~~ (22) "Sexual exploitation" includes: (a) Allowing,  
18 permitting, or encouraging a child to engage in prostitution by any  
19 person; or (b) allowing, permitting, encouraging, or engaging in the  
20 obscene or pornographic photographing, filming, or depicting of a child  
21 by any person.

22 ~~((+21))~~ (23) "Sexually aggressive youth" means a child who is  
23 defined in RCW 74.13.075(1)(b) as being a sexually aggressive youth.

24 ~~((+22))~~ (24) "Social service counselor" means anyone engaged in a  
25 professional capacity during the regular course of employment in  
26 encouraging or promoting the health, welfare, support, or education of  
27 children, or providing social services to adults or families, including  
28 mental health, drug and alcohol treatment, and domestic violence  
29 programs, whether in an individual capacity, or as an employee or agent  
30 of any public or private organization or institution.

31 ~~((+23))~~ (25) "Supervising agency" means an agency licensed by the  
32 state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that  
33 has entered into a performance-based contract with the department to  
34 provide child welfare services.

35 ~~((+24))~~ (26) "Unfounded" means the determination following an  
36 investigation by the department that available information indicates  
37 that, more likely than not, child abuse or neglect did not occur, or

1 that there is insufficient evidence for the department to determine  
2 whether the alleged child abuse did or did not occur.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.44 RCW  
4 to read as follows:

5 (1) No later than December 1, 2013, the department shall implement  
6 the family assessment response. The department may implement the  
7 family assessment response on a phased-in basis, by geographical area.

8 (2) The department shall develop an implementation plan in  
9 consultation with stakeholders, including tribes. The department shall  
10 submit a report of the implementation plan to the appropriate  
11 committees of the legislature by December 31, 2012. At a minimum, the  
12 following must be developed before implementation and included in the  
13 report to the legislature:

14 (a) Description of the family assessment response practice model;

15 (b) Identification of possible additional noninvestigative  
16 responses or pathways;

17 (c) Development of an intake screening tool and a family assessment  
18 tool specifically to be used in the family assessment response;

19 (d) Delineation of staff training requirements;

20 (e) Development of strategies to reduce disproportionality;

21 (f) Development of strategies to assist and connect families with  
22 the appropriate private or public housing support agencies, for those  
23 parents whose inability to obtain or maintain safe housing creates a  
24 risk of harm to the child, risk of out-of-home placement of the child,  
25 or a barrier to reunification;

26 (g) Identification of methods to involve local community partners  
27 in the development of community-based resources to meet families'  
28 needs. Local community partners may include, but are not limited to:  
29 Alumni of the foster care system and veteran parents, local private  
30 service delivery agencies, schools, local health departments and other  
31 health care providers, juvenile court, law enforcement, office of  
32 public defense social workers or local defense attorneys, domestic  
33 violence victims advocates, and other available community-based  
34 entities;

35 (h) Delineation of procedures to assure continuous quality  
36 assurance;

1 (i) Identification of current departmental expenditures for  
2 services appropriate for the family assessment response, to the  
3 greatest practicable extent;

4 (j) Identification of philanthropic funding and other private  
5 funding available to supplement public resources in response to  
6 identified family needs;

7 (k) A potential phase-in schedule if proposed; and

8 (l) Recommendations for legislative action required to implement  
9 the plan.

10 **Sec. 3.** RCW 26.44.030 and 2009 c 480 s 1 are each amended to read  
11 as follows:

12 (1)(a) When any practitioner, county coroner or medical examiner,  
13 law enforcement officer, professional school personnel, registered or  
14 licensed nurse, social service counselor, psychologist, pharmacist,  
15 employee of the department of early learning, licensed or certified  
16 child care providers or their employees, employee of the department,  
17 juvenile probation officer, placement and liaison specialist,  
18 responsible living skills program staff, HOPE center staff, or state  
19 family and children's ombudsman or any volunteer in the ombudsman's  
20 office has reasonable cause to believe that a child has suffered abuse  
21 or neglect, he or she shall report such incident, or cause a report to  
22 be made, to the proper law enforcement agency or to the department as  
23 provided in RCW 26.44.040.

24 (b) When any person, in his or her official supervisory capacity  
25 with a nonprofit or for-profit organization, has reasonable cause to  
26 believe that a child has suffered abuse or neglect caused by a person  
27 over whom he or she regularly exercises supervisory authority, he or  
28 she shall report such incident, or cause a report to be made, to the  
29 proper law enforcement agency, provided that the person alleged to have  
30 caused the abuse or neglect is employed by, contracted by, or  
31 volunteers with the organization and coaches, trains, educates, or  
32 counsels a child or children or regularly has unsupervised access to a  
33 child or children as part of the employment, contract, or voluntary  
34 service. No one shall be required to report under this section when he  
35 or she obtains the information solely as a result of a privileged  
36 communication as provided in RCW 5.60.060.

1 Nothing in this subsection (1)(b) shall limit a person's duty to  
2 report under (a) of this subsection.

3 For the purposes of this subsection, the following definitions  
4 apply:

5 (i) "Official supervisory capacity" means a position, status, or  
6 role created, recognized, or designated by any nonprofit or for-profit  
7 organization, either for financial gain or without financial gain,  
8 whose scope includes, but is not limited to, overseeing, directing, or  
9 managing another person who is employed by, contracted by, or  
10 volunteers with the nonprofit or for-profit organization.

11 (ii) "Regularly exercises supervisory authority" means to act in  
12 his or her official supervisory capacity on an ongoing or continuing  
13 basis with regards to a particular person.

14 (c) The reporting requirement also applies to department of  
15 corrections personnel who, in the course of their employment, observe  
16 offenders or the children with whom the offenders are in contact. If,  
17 as a result of observations or information received in the course of  
18 his or her employment, any department of corrections personnel has  
19 reasonable cause to believe that a child has suffered abuse or neglect,  
20 he or she shall report the incident, or cause a report to be made, to  
21 the proper law enforcement agency or to the department as provided in  
22 RCW 26.44.040.

23 (d) The reporting requirement shall also apply to any adult who has  
24 reasonable cause to believe that a child who resides with them, has  
25 suffered severe abuse, and is able or capable of making a report. For  
26 the purposes of this subsection, "severe abuse" means any of the  
27 following: Any single act of abuse that causes physical trauma of  
28 sufficient severity that, if left untreated, could cause death; any  
29 single act of sexual abuse that causes significant bleeding, deep  
30 bruising, or significant external or internal swelling; or more than  
31 one act of physical abuse, each of which causes bleeding, deep  
32 bruising, significant external or internal swelling, bone fracture, or  
33 unconsciousness.

34 (e) The reporting requirement also applies to guardians ad litem,  
35 including court-appointed special advocates, appointed under Titles 11,  
36 13, and 26 RCW, who in the course of their representation of children  
37 in these actions have reasonable cause to believe a child has been  
38 abused or neglected.

1 (f) The report must be made at the first opportunity, but in no  
2 case longer than forty-eight hours after there is reasonable cause to  
3 believe that the child has suffered abuse or neglect. The report must  
4 include the identity of the accused if known.

5 (2) The reporting requirement of subsection (1) of this section  
6 does not apply to the discovery of abuse or neglect that occurred  
7 during childhood if it is discovered after the child has become an  
8 adult. However, if there is reasonable cause to believe other children  
9 are or may be at risk of abuse or neglect by the accused, the reporting  
10 requirement of subsection (1) of this section does apply.

11 (3) Any other person who has reasonable cause to believe that a  
12 child has suffered abuse or neglect may report such incident to the  
13 proper law enforcement agency or to the department of social and health  
14 services as provided in RCW 26.44.040.

15 (4) The department, upon receiving a report of an incident of  
16 alleged abuse or neglect pursuant to this chapter, involving a child  
17 who has died or has had physical injury or injuries inflicted upon him  
18 or her other than by accidental means or who has been subjected to  
19 alleged sexual abuse, shall report such incident to the proper law  
20 enforcement agency. In emergency cases, where the child's welfare is  
21 endangered, the department shall notify the proper law enforcement  
22 agency within twenty-four hours after a report is received by the  
23 department. In all other cases, the department shall notify the law  
24 enforcement agency within seventy-two hours after a report is received  
25 by the department. If the department makes an oral report, a written  
26 report must also be made to the proper law enforcement agency within  
27 five days thereafter.

28 (5) Any law enforcement agency receiving a report of an incident of  
29 alleged abuse or neglect pursuant to this chapter, involving a child  
30 who has died or has had physical injury or injuries inflicted upon him  
31 or her other than by accidental means, or who has been subjected to  
32 alleged sexual abuse, shall report such incident in writing as provided  
33 in RCW 26.44.040 to the proper county prosecutor or city attorney for  
34 appropriate action whenever the law enforcement agency's investigation  
35 reveals that a crime may have been committed. The law enforcement  
36 agency shall also notify the department of all reports received and the  
37 law enforcement agency's disposition of them. In emergency cases,  
38 where the child's welfare is endangered, the law enforcement agency



1 shall notify the department within twenty-four hours. In all other  
2 cases, the law enforcement agency shall notify the department within  
3 seventy-two hours after a report is received by the law enforcement  
4 agency.

5 (6) Any county prosecutor or city attorney receiving a report under  
6 subsection (5) of this section shall notify the victim, any persons the  
7 victim requests, and the local office of the department, of the  
8 decision to charge or decline to charge a crime, within five days of  
9 making the decision.

10 (7) The department may conduct ongoing case planning and  
11 consultation with those persons or agencies required to report under  
12 this section, with consultants designated by the department, and with  
13 designated representatives of Washington Indian tribes if the client  
14 information exchanged is pertinent to cases currently receiving child  
15 protective services. Upon request, the department shall conduct such  
16 planning and consultation with those persons required to report under  
17 this section if the department determines it is in the best interests  
18 of the child. Information considered privileged by statute and not  
19 directly related to reports required by this section must not be  
20 divulged without a valid written waiver of the privilege.

21 (8) Any case referred to the department by a physician licensed  
22 under chapter 18.57 or 18.71 RCW on the basis of an expert medical  
23 opinion that child abuse, neglect, or sexual assault has occurred and  
24 that the child's safety will be seriously endangered if returned home,  
25 the department shall file a dependency petition unless a second  
26 licensed physician of the parents' choice believes that such expert  
27 medical opinion is incorrect. If the parents fail to designate a  
28 second physician, the department may make the selection. If a  
29 physician finds that a child has suffered abuse or neglect but that  
30 such abuse or neglect does not constitute imminent danger to the  
31 child's health or safety, and the department agrees with the  
32 physician's assessment, the child may be left in the parents' home  
33 while the department proceeds with reasonable efforts to remedy  
34 parenting deficiencies.

35 (9) Persons or agencies exchanging information under subsection (7)  
36 of this section shall not further disseminate or release the  
37 information except as authorized by state or federal statute.  
38 Violation of this subsection is a misdemeanor.

1 (10) Upon receiving a report of alleged abuse or neglect, the  
2 department shall make reasonable efforts to learn the name, address,  
3 and telephone number of each person making a report of abuse or neglect  
4 under this section. The department shall provide assurances of  
5 appropriate confidentiality of the identification of persons reporting  
6 under this section. If the department is unable to learn the  
7 information required under this subsection, the department shall only  
8 investigate cases in which:

9 (a) The department believes there is a serious threat of  
10 substantial harm to the child;

11 (b) The report indicates conduct involving a criminal offense that  
12 has, or is about to occur, in which the child is the victim; or

13 (c) The department has a prior founded report of abuse or neglect  
14 with regard to a member of the household that is within three years of  
15 receipt of the referral.

16 (11)(a) Upon receiving a report of alleged abuse or neglect, the  
17 department shall use one of the following discrete responses to reports  
18 of child abuse or neglect that are screened in and accepted for  
19 departmental response:

20 (i) Investigation; or

21 (ii) Family assessment.

22 (b) In making the response in (a) of this subsection the department  
23 shall:

24 (i) Use a method by which to assign cases to investigation or  
25 family assessment which are based on an array of factors that may  
26 include the presence of: Imminent danger, level of risk, number of  
27 previous child abuse or neglect reports, or other presenting case  
28 characteristics, such as the type of alleged maltreatment and the age  
29 of the alleged victim;

30 (ii) Allow for a change in response assignment based on new  
31 information that alters risk or safety level;

32 (iii) Allow families assigned to family assessment to choose to  
33 receive an investigation rather than a family assessment;

34 (iv) Provide a full investigation if a family refuses the initial  
35 family assessment;

36 (v) Provide voluntary services to families based on the results of  
37 the initial family assessment. If a family refuses voluntary services,  
38 and the department cannot identify specific facts related to risk or

1 safety that warrant an investigation under this chapter, or there is a  
2 history of reports of child abuse or neglect, then the department must  
3 close the family assessment response case. However, if at any time the  
4 department identifies risk or safety factors that warrant an  
5 investigation under this chapter, then the family assessment case must  
6 be closed, and an investigation must be conducted;

7 (vi) Conduct an investigation, and not a family assessment, in  
8 response to an allegation that, the department determines based on the  
9 intake assessment:

10 (A) Poses a risk of "imminent harm" consistent with the definition  
11 provided in RCW 13.34.050, which includes, but is not limited to,  
12 sexual abuse and sexual exploitation as defined in this chapter;

13 (B) Poses a serious threat of substantial harm to a child;

14 (C) Constitutes conduct involving a criminal offense that has, or  
15 is about to occur, in which the child is the victim;

16 (D) The child is an abandoned child as defined in RCW 13.34.030;

17 (E) The child is an adjudicated dependent child as defined in RCW  
18 13.34.030, or the child is in a facility that is licensed, operated, or  
19 certified for care of children by the department under chapter 74.13  
20 RCW, or by the department of early learning.

21 (c) The department may not be held civilly liable for the decision  
22 to respond to an allegation of child abuse or neglect by using the  
23 family assessment response under this section unless the state or its  
24 officers, agents, or employees acted with reckless disregard.

25 (12)(a) For reports of alleged abuse or neglect that are accepted  
26 for investigation by the department, the investigation shall be  
27 conducted within time frames established by the department in rule. In  
28 no case shall the investigation extend longer than ninety days from the  
29 date the report is received, unless the investigation is being  
30 conducted under a written protocol pursuant to RCW 26.44.180 and a law  
31 enforcement agency or prosecuting attorney has determined that a longer  
32 investigation period is necessary. At the completion of the  
33 investigation, the department shall make a finding that the report of  
34 child abuse or neglect is founded or unfounded.

35 (b) If a court in a civil or criminal proceeding, considering the  
36 same facts or circumstances as are contained in the report being  
37 investigated by the department, makes a judicial finding by a

1 preponderance of the evidence or higher that the subject of the pending  
2 investigation has abused or neglected the child, the department shall  
3 adopt the finding in its investigation.

4 ~~((+12+))~~ (13) For reports of alleged abuse or neglect that are  
5 placed in the family assessment response, the department shall:

6 (a) Provide the family with a written explanation of the procedure  
7 for assessment of the child and the family and its purposes;

8 (b) Complete the family assessment within forty-five days of  
9 receiving the report; however, upon parental agreement, the assessment  
10 period may be extended up to sixty days;

11 (c) Offer services to the family in a manner that makes it clear  
12 that acceptance of the services is voluntary;

13 (d) Implement the family assessment response in a consistent and  
14 cooperative manner;

15 (e) Have the parent or guardian sign an agreement to participate in  
16 services before services are initiated that informs the parents of  
17 their rights under the family assessment response, all of their  
18 options, and the options the department has if the parents do not sign  
19 the consent form.

20 (14) In conducting an investigation or family assessment of alleged  
21 abuse or neglect, the department or law enforcement agency:

22 (a) May interview children. If the department determines that the  
23 response to the allegation will be the family assessment response, the  
24 preferred practice is to request a parent's, guardian's, or custodian's  
25 permission to interview the child before conducting the child interview  
26 unless doing so would compromise the safety of the child. The  
27 interviews may be conducted on school premises, at day-care facilities,  
28 at the child's home, or at other suitable locations outside of the  
29 presence of parents. If the allegation is investigated, parental  
30 notification of the interview must occur at the earliest possible point  
31 in the investigation that will not jeopardize the safety or protection  
32 of the child or the course of the investigation. Prior to commencing  
33 the interview the department or law enforcement agency shall determine  
34 whether the child wishes a third party to be present for the interview  
35 and, if so, shall make reasonable efforts to accommodate the child's  
36 wishes. Unless the child objects, the department or law enforcement  
37 agency shall make reasonable efforts to include a third party in any

1 interview so long as the presence of the third party will not  
2 jeopardize the course of the investigation; and

3 (b) Shall have access to all relevant records of the child in the  
4 possession of mandated reporters and their employees.

5 ~~((+13+))~~ (15) If a report of alleged abuse or neglect is founded  
6 and constitutes the third founded report received by the department  
7 within the last twelve months involving the same child or family, the  
8 department shall promptly notify the office of the family and  
9 children's ombudsman of the contents of the report. The department  
10 shall also notify the ombudsman of the disposition of the report.

11 ~~((+14+))~~ (16) In investigating and responding to allegations of  
12 child abuse and neglect, the department may conduct background checks  
13 as authorized by state and federal law.

14 ~~((+15+))~~ (17)(a) The department shall maintain investigation  
15 records and conduct timely and periodic reviews of all founded cases of  
16 abuse and neglect. The department shall maintain a log of screened-out  
17 nonabusive cases.

18 (b) In the family assessment response, the department shall not  
19 make a finding as to whether child abuse or neglect occurred. No one  
20 shall be named as a perpetrator and no investigative finding shall be  
21 entered in the department's child abuse or neglect database.

22 ~~((+16+))~~ (18) The department shall use a risk assessment process  
23 when investigating alleged child abuse and neglect referrals. The  
24 department shall present the risk factors at all hearings in which the  
25 placement of a dependent child is an issue. Substance abuse must be a  
26 risk factor. ~~((The department shall, within funds appropriated for~~  
27 ~~this purpose, offer enhanced community based services to persons who~~  
28 ~~are determined not to require further state intervention.~~

29 ~~(+17+))~~ (19) Upon receipt of a report of alleged abuse or neglect  
30 the law enforcement agency may arrange to interview the person making  
31 the report and any collateral sources to determine if any malice is  
32 involved in the reporting.

33 ~~((+18+))~~ (20) Upon receiving a report of alleged abuse or neglect  
34 involving a child under the court's jurisdiction under chapter 13.34  
35 RCW, the department shall promptly notify the child's guardian ad litem  
36 of the report's contents. The department shall also notify the  
37 guardian ad litem of the disposition of the report. For purposes of

1 this subsection, "guardian ad litem" has the meaning provided in RCW  
2 13.34.030.

3 **Sec. 4.** RCW 26.44.031 and 2007 c 220 s 3 are each amended to read  
4 as follows:

5 (1) To protect the privacy in reporting and the maintenance of  
6 reports of nonaccidental injury, neglect, death, sexual abuse, and  
7 cruelty to children by their parents, and to safeguard against  
8 arbitrary, malicious, or erroneous information or actions, the  
9 department shall not disclose or maintain information related to  
10 reports of child abuse or neglect except as provided in this section or  
11 as otherwise required by state and federal law.

12 (2) The department shall destroy all of its records concerning:

13 (a) A screened-out report, within three years from the receipt of  
14 the report; and

15 (b) An unfounded or inconclusive report, within six years of  
16 completion of the investigation, unless a prior or subsequent founded  
17 report has been received regarding the child who is the subject of the  
18 report, a sibling or half-sibling of the child, or a parent, guardian,  
19 or legal custodian of the child, before the records are destroyed.

20 (3) The department may keep records concerning founded reports of  
21 child abuse or neglect as the department determines by rule.

22 (4) ~~((An))~~ No unfounded, screened-out, or inconclusive report or  
23 information about a family's participation or nonparticipation in the  
24 family assessment response may ~~((not))~~ be disclosed to a child-placing  
25 agency, private adoption agency, or any other provider licensed under  
26 chapter 74.15 RCW without the consent of the individual who is the  
27 subject of the report or family assessment, unless:

28 (a) The individual seeks to become a licensed foster parent or  
29 adoptive parent; or

30 (b) The individual is the parent or legal custodian of a child  
31 being served by one of the agencies referenced in this subsection.

32 (5)(a) If the department fails to comply with this section, an  
33 individual who is the subject of a report may institute proceedings for  
34 injunctive or other appropriate relief for enforcement of the  
35 requirement to purge information. These proceedings may be instituted  
36 in the superior court for the county in which the person resides or, if

1 the person is not then a resident of this state, in the superior court  
2 for Thurston county.

3 (b) If the department fails to comply with subsection (4) of this  
4 section and an individual who is the subject of the report or family  
5 assessment response information is harmed by the disclosure of  
6 information, in addition to the relief provided in (a) of this  
7 subsection, the court may award a penalty of up to one thousand dollars  
8 and reasonable attorneys' fees and court costs to the petitioner.

9 (c) A proceeding under this subsection does not preclude other  
10 methods of enforcement provided for by law.

11 (6) Nothing in this section shall prevent the department from  
12 retaining general, nonidentifying information which is required for  
13 state and federal reporting and management purposes.

14 **Sec. 5.** RCW 26.44.050 and 1999 c 176 s 33 are each amended to read  
15 as follows:

16 Except as provided in RCW 26.44.030(11), upon the receipt of a  
17 report concerning the possible occurrence of abuse or neglect, the law  
18 enforcement agency or the department of social and health services must  
19 investigate and provide the protective services section with a report  
20 in accordance with chapter 74.13 RCW, and where necessary to refer such  
21 report to the court.

22 A law enforcement officer may take, or cause to be taken, a child  
23 into custody without a court order if there is probable cause to  
24 believe that the child is abused or neglected and that the child would  
25 be injured or could not be taken into custody if it were necessary to  
26 first obtain a court order pursuant to RCW 13.34.050. The law  
27 enforcement agency or the department of social and health services  
28 investigating such a report is hereby authorized to photograph such a  
29 child for the purpose of providing documentary evidence of the physical  
30 condition of the child.

31 NEW SECTION. **Sec. 6.** A new section is added to chapter 26.44 RCW  
32 to read as follows:

33 (1) Upon completion of the family assessment, if, based upon the  
34 family's needs, or lack thereof, identified in the assessment, the  
35 department recommends that no services be offered, the case shall be  
36 closed.

1 (2) Within ten days of the conclusion of the family assessment, the  
2 department must meet with the child's parent or guardian to discuss the  
3 recommendation for services to address child safety concerns or  
4 significant risk of subsequent child maltreatment.

5 (3) If the parent or guardian disagrees with the department's  
6 recommendation regarding the provision of services, the department  
7 shall convene a family team decision-making meeting to discuss the  
8 recommendations and objections. The caseworker's supervisor and area  
9 administrator shall attend the meeting.

10 NEW SECTION. **Sec. 7.** A new section is added to chapter 26.44 RCW  
11 to read as follows:

12 The department shall develop a family assessment tool which, at a  
13 minimum, must include the following:

14 (1) An interview with the child's parent, guardian, or any other  
15 adult residing in the child's home who serves in a parental role. The  
16 interview shall focus on ensuring the immediate safety of the child and  
17 mitigating future risk of harm to the child in the home environment.

18 (2) An interview of other persons suggested by the family or whom  
19 the department believes have valuable information.

20 (3) An evaluation of the safety of the child and any other children  
21 living in the same home. The evaluation may include an interview with  
22 or observation of the child or children. The preferred method is to  
23 request a parent's, guardian's, or custodian's permission to interview  
24 the child before conducting the child interview unless doing so would  
25 compromise the safety of the child.

26 (4) In collaboration with the family, identification of family  
27 strengths, resources, and service needs, and the development of a plan  
28 of services with the goal of reducing risk of harm to the child and  
29 improving or restoring family well-being.

30 **Sec. 8.** RCW 74.13.020 and 2011 c 330 s 4 are each reenacted and  
31 amended to read as follows:

32 For purposes of this chapter:

33 (1) "Case management" means the management of services delivered to  
34 children and families in the child welfare system, including permanency  
35 services, caseworker-child visits, family visits, the convening of  
36 family group conferences, the development and revision of the case



1 plan, the coordination and monitoring of services needed by the child  
2 and family, and the assumption of court-related duties, excluding legal  
3 representation, including preparing court reports, attending judicial  
4 hearings and permanency hearings, and ensuring that the child is  
5 progressing toward permanency within state and federal mandates,  
6 including the Indian child welfare act.

7 (2) "Child" means:

8 (a) A person less than eighteen years of age; or

9 (b) A person age eighteen to twenty-one years who is eligible to  
10 receive the extended foster care services authorized under RCW  
11 74.13.031.

12 (3) "Child protective services" has the same meaning as in RCW  
13 26.44.020.

14 (4) "Child welfare services" means social services including  
15 voluntary and in-home services, out-of-home care, case management, and  
16 adoption services which strengthen, supplement, or substitute for,  
17 parental care and supervision for the purpose of:

18 (a) Preventing or remedying, or assisting in the solution of  
19 problems which may result in families in conflict, or the neglect,  
20 abuse, exploitation, or criminal behavior of children;

21 (b) Protecting and caring for dependent, abused, or neglected  
22 children;

23 (c) Assisting children who are in conflict with their parents, and  
24 assisting parents who are in conflict with their children, with  
25 services designed to resolve such conflicts;

26 (d) Protecting and promoting the welfare of children, including the  
27 strengthening of their own homes where possible, or, where needed;

28 (e) Providing adequate care of children away from their homes in  
29 foster family homes or day care or other child care agencies or  
30 facilities.

31 "Child welfare services" does not include child protection  
32 services.

33 (5) "Committee" means the child welfare transformation design  
34 committee.

35 (6) "Department" means the department of social and health  
36 services.

37 (7) "Extended foster care services" means residential and other  
38 support services the department is authorized to provide to foster

1 children. These services include, but are not limited to, placement in  
2 licensed, relative, or otherwise approved care, or supervised  
3 independent living settings; assistance in meeting basic needs;  
4 independent living services; medical assistance; and counseling or  
5 treatment.

6 (8) "Family assessment" means a comprehensive assessment of child  
7 safety, risk of subsequent child abuse or neglect, and family strengths  
8 and needs that is applied to a child abuse or neglect report. Family  
9 assessment does not include a determination as to whether child abuse  
10 or neglect occurred, but does determine the need for services to  
11 address the safety of the child and the risk of subsequent  
12 maltreatment.

13 (9) "Measurable effects" means a statistically significant change  
14 which occurs as a result of the service or services a supervising  
15 agency is assigned in a performance-based contract, in time periods  
16 established in the contract.

17 ((+9)) (10) "Out-of-home care services" means services provided  
18 after the shelter care hearing to or for children in out-of-home care,  
19 as that term is defined in RCW 13.34.030, and their families, including  
20 the recruitment, training, and management of foster parents, the  
21 recruitment of adoptive families, and the facilitation of the adoption  
22 process, family reunification, independent living, emergency shelter,  
23 residential group care, and foster care, including relative placement.

24 ((+10)) (11) "Performance-based contracting" means the structuring  
25 of all aspects of the procurement of services around the purpose of the  
26 work to be performed and the desired results with the contract  
27 requirements set forth in clear, specific, and objective terms with  
28 measurable outcomes. Contracts shall also include provisions that link  
29 the performance of the contractor to the level and timing of  
30 reimbursement.

31 ((+11)) (12) "Permanency services" means long-term services  
32 provided to secure a child's safety, permanency, and well-being,  
33 including foster care services, family reunification services, adoption  
34 services, and preparation for independent living services.

35 ((+12)) (13) "Primary prevention services" means services which  
36 are designed and delivered for the primary purpose of enhancing child  
37 and family well-being and are shown, by analysis of outcomes, to reduce

1 the risk to the likelihood of the initial need for child welfare  
2 services.

3 ~~((+13+))~~ (14) "Supervising agency" means an agency licensed by the  
4 state under RCW 74.15.090, or licensed by a federally recognized Indian  
5 tribe located in this state under RCW 74.15.190, that has entered into  
6 a performance-based contract with the department to provide case  
7 management for the delivery and documentation of child welfare  
8 services, as defined in this section.

9 **Sec. 9.** RCW 74.13.031 and 2011 c 330 s 5 and 2011 c 160 s 2 are  
10 each reenacted and amended to read as follows:

11 (1) The department and supervising agencies shall develop,  
12 administer, supervise, and monitor a coordinated and comprehensive plan  
13 that establishes, aids, and strengthens services for the protection and  
14 care of runaway, dependent, or neglected children.

15 (2) Within available resources, the department and supervising  
16 agencies shall recruit an adequate number of prospective adoptive and  
17 foster homes, both regular and specialized, i.e. homes for children of  
18 ethnic minority, including Indian homes for Indian children, sibling  
19 groups, handicapped and emotionally disturbed, teens, pregnant and  
20 parenting teens, and the department shall annually report to the  
21 governor and the legislature concerning the department's and  
22 supervising agency's success in: (a) Meeting the need for adoptive and  
23 foster home placements; (b) reducing the foster parent turnover rate;  
24 (c) completing home studies for legally free children; and (d)  
25 implementing and operating the passport program required by RCW  
26 74.13.285. The report shall include a section entitled "Foster Home  
27 Turn-Over, Causes and Recommendations."

28 (3) The department shall investigate complaints of any recent act  
29 or failure to act on the part of a parent or caretaker that results in  
30 death, serious physical or emotional harm, or sexual abuse or  
31 exploitation, or that presents an imminent risk of serious harm, and on  
32 the basis of the findings of such investigation, offer child welfare  
33 services in relation to the problem to such parents, legal custodians,  
34 or persons serving in loco parentis, and/or bring the situation to the  
35 attention of an appropriate court, or another community agency. An  
36 investigation is not required of nonaccidental injuries which are  
37 clearly not the result of a lack of care or supervision by the child's

1 parents, legal custodians, or persons serving in loco parentis. If the  
2 investigation reveals that a crime against a child may have been  
3 committed, the department shall notify the appropriate law enforcement  
4 agency.

5 (4) As provided in RCW 26.44.030(11), the department may respond to  
6 a report of child abuse or neglect by using the family assessment  
7 response.

8 (5) The department or supervising agencies shall offer, on a  
9 voluntary basis, family reconciliation services to families who are in  
10 conflict.

11 ((+5+)) (6) The department or supervising agencies shall monitor  
12 placements of children in out-of-home care and in-home dependencies to  
13 assure the safety, well-being, and quality of care being provided is  
14 within the scope of the intent of the legislature as defined in RCW  
15 74.13.010 and 74.15.010. Under this section children in out-of-home  
16 care and in-home dependencies and their caregivers shall receive a  
17 private and individual face-to-face visit each month. The department  
18 and the supervising agencies shall randomly select no less than ten  
19 percent of the caregivers currently providing care to receive one  
20 unannounced face-to-face visit in the caregiver's home per year. No  
21 caregiver will receive an unannounced visit through the random  
22 selection process for two consecutive years. If the caseworker makes  
23 a good faith effort to conduct the unannounced visit to a caregiver and  
24 is unable to do so, that month's visit to that caregiver need not be  
25 unannounced. The department and supervising agencies are encouraged to  
26 group monthly visits to caregivers by geographic area so that in the  
27 event an unannounced visit cannot be completed, the caseworker may  
28 complete other required monthly visits. The department shall use a  
29 method of random selection that does not cause a fiscal impact to the  
30 department.

31 The department or supervising agencies shall conduct the monthly  
32 visits with children and caregivers to whom it is providing child  
33 welfare services.

34 ((+6+)) (7) The department and supervising agencies shall have  
35 authority to accept custody of children from parents and to accept  
36 custody of children from juvenile courts, where authorized to do so  
37 under law, to provide child welfare services including placement for  
38 adoption, to provide for the routine and necessary medical, dental, and

1 mental health care, or necessary emergency care of the children, and to  
2 provide for the physical care of such children and make payment of  
3 maintenance costs if needed. Except where required by Public Law 95-  
4 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives  
5 children for adoption from the department shall discriminate on the  
6 basis of race, creed, or color when considering applications in their  
7 placement for adoption.

8 ((+7)) (8) The department and supervising agency shall have  
9 authority to provide temporary shelter to children who have run away  
10 from home and who are admitted to crisis residential centers.

11 ((+8)) (9) The department and supervising agency shall have  
12 authority to purchase care for children.

13 ((+9)) (10) The department shall establish a children's services  
14 advisory committee with sufficient members representing supervising  
15 agencies which shall assist the secretary in the development of a  
16 partnership plan for utilizing resources of the public and private  
17 sectors, and advise on all matters pertaining to child welfare,  
18 licensing of child care agencies, adoption, and services related  
19 thereto. At least one member shall represent the adoption community.

20 ((+10)) (11) The department and supervising agencies shall have  
21 authority to provide continued extended foster care services to youth  
22 ages eighteen to twenty-one years to participate in or complete a  
23 secondary education program or a secondary education equivalency  
24 program.

25 ((+11)) (12) The department(~~(, has)~~) shall have authority to  
26 provide adoption support benefits, or relative guardianship subsidies  
27 on behalf of youth ages eighteen to twenty-one years who achieved  
28 permanency through adoption or a relative guardianship at age sixteen  
29 or older and who meet the criteria described in subsection ((+10))  
30 (11) of this section.

31 ((+12)) (13) The department shall refer cases to the division of  
32 child support whenever state or federal funds are expended for the care  
33 and maintenance of a child, including a child with a developmental  
34 disability who is placed as a result of an action under chapter 13.34  
35 RCW, unless the department finds that there is good cause not to pursue  
36 collection of child support against the parent or parents of the child.  
37 Cases involving individuals age eighteen through twenty shall not be

1 referred to the division of child support unless required by federal  
2 law.

3 ~~((+13+))~~ (14) The department and supervising agencies shall have  
4 authority within funds appropriated for foster care services to  
5 purchase care for Indian children who are in the custody of a federally  
6 recognized Indian tribe or tribally licensed child-placing agency  
7 pursuant to parental consent, tribal court order, or state juvenile  
8 court order; and the purchase of such care shall be subject to the same  
9 eligibility standards and rates of support applicable to other children  
10 for whom the department purchases care.

11 Notwithstanding any other provision of RCW 13.32A.170 through  
12 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
13 services to be provided by the department under subsections (4), ~~((+6+),~~  
14 ~~and~~) (7), and (8) of this section, subject to the limitations of these  
15 subsections, may be provided by any program offering such services  
16 funded pursuant to Titles II and III of the federal juvenile justice  
17 and delinquency prevention act of 1974.

18 ~~((+14+))~~ (15) Within amounts appropriated for this specific  
19 purpose, the supervising agency or department shall provide preventive  
20 services to families with children that prevent or shorten the duration  
21 of an out-of-home placement.

22 ~~((+15+))~~ (16) The department and supervising agencies shall have  
23 authority to provide independent living services to youths, including  
24 individuals who have attained eighteen years of age, and have not  
25 attained twenty-one years of age who are or have been in foster care.

26 ~~((+16+))~~ (17) The department and supervising agencies shall consult  
27 at least quarterly with foster parents, including members of the foster  
28 parent association of Washington state, for the purpose of receiving  
29 information and comment regarding how the department and supervising  
30 agencies are performing the duties and meeting the obligations  
31 specified in this section and RCW 74.13.250 and 74.13.320 regarding the  
32 recruitment of foster homes, reducing foster parent turnover rates,  
33 providing effective training for foster parents, and administering a  
34 coordinated and comprehensive plan that strengthens services for the  
35 protection of children. Consultation shall occur at the regional and  
36 statewide levels.

37 (18)(a) The department shall, within current funding levels, place

1 on its public web site a document listing the duties and  
2 responsibilities the department has to a child subject to a dependency  
3 petition including, but not limited to, the following:

4 (i) Reasonable efforts, including the provision of services, toward  
5 reunification of the child with his or her family;

6 (ii) Sibling visits subject to the restrictions in RCW  
7 13.34.136(2)(b)(ii);

8 (iii) Parent-child visits;

9 (iv) Statutory preference for placement with a relative or other  
10 suitable person, if appropriate; and

11 (v) Statutory preference for an out-of-home placement that allows  
12 the child to remain in the same school or school district, if practical  
13 and in the child's best interests.

14 (b) The document must be prepared in conjunction with a community-  
15 based organization and must be updated as needed.

16 NEW SECTION. **Sec. 10.** The Washington state institute for public  
17 policy shall conduct an evaluation of the implementation of the family  
18 assessment response. The institute shall define the data to be  
19 gathered and maintained. At a minimum, the evaluations must address  
20 child safety measures, out-of-home placement rates, re-referral rates,  
21 and caseload sizes and demographics. The institute shall deliver its  
22 first report no later than December 1, 2014, and its final report by  
23 December 1, 2016.

24 NEW SECTION. **Sec. 11.** The department of social and health  
25 services shall conduct two client satisfaction surveys of families that  
26 have been placed in the family assessment response. The first survey  
27 results shall be reported no later than December 1, 2014. The second  
28 survey results shall be reported no later than December 1, 2016.

29 **Sec. 12.** RCW 26.44.125 and 1998 c 314 s 9 are each amended to read  
30 as follows:

31 (1) A person who is named as an alleged perpetrator after October  
32 1, 1998, in a founded report of child abuse or neglect has the right to  
33 seek review and amendment of the finding as provided in this section.

34 (2) Within ~~((twenty))~~ thirty calendar days after ~~((receiving~~  
35 ~~written notice from the department))~~ the department has notified the

1 alleged perpetrator under RCW 26.44.100 that ((a)) the person is named  
2 as an alleged perpetrator in a founded report of child abuse or  
3 neglect, he or she may request that the department review the finding.  
4 The request must be made in writing. The written notice provided by  
5 the department must contain at least the following information in plain  
6 language:

7 (a) Information about the department's investigative finding as it  
8 relates to the alleged perpetrator;

9 (b) Sufficient factual information to apprise the alleged  
10 perpetrator of the date and nature of the founded reports;

11 (c) That the alleged perpetrator has the right to submit to child  
12 protective services a written response regarding the child protective  
13 services finding which, if received, shall be filed in the department's  
14 records;

15 (d) That information in the department's records, including  
16 information about this founded report, may be considered in a later  
17 investigation or proceeding related to a different allegation of child  
18 abuse or neglect or child custody;

19 (e) That founded allegations of child abuse or neglect may be used  
20 by the department in determining:

21 (i) If a perpetrator is qualified to be licensed or approved to  
22 care for children or vulnerable adults; or

23 (ii) If a perpetrator is qualified to be employed by the department  
24 in a position having unsupervised access to children or vulnerable  
25 adults;

26 (f) That the alleged perpetrator has a right to challenge a founded  
27 allegation of child abuse or neglect.

28 (3) If a request for review is not made as provided in this  
29 subsection, the alleged perpetrator may not further challenge the  
30 finding and shall have no right to agency review or to an adjudicative  
31 hearing or judicial review of the finding, unless he or she can show  
32 that the department did not comply with the notice requirements of RCW  
33 26.44.100.

34 ~~((+3))~~ (4) Upon receipt of a written request for review, the  
35 department shall review and, if appropriate, may amend the finding.  
36 Management level staff within the children's administration designated  
37 by the secretary shall be responsible for the review. The review must  
38 be completed within thirty days after receiving the written request for



1 review. The review must be conducted in accordance with procedures the  
2 department establishes by rule. Upon completion of the review, the  
3 department shall notify the alleged perpetrator in writing of the  
4 agency's determination. The notification must be sent by certified  
5 mail, return receipt requested, to the person's last known address.

6 ~~((+4))~~ (5) If, following agency review, the report remains  
7 founded, the person named as the alleged perpetrator in the report may  
8 request an adjudicative hearing to contest the finding. The  
9 adjudicative proceeding is governed by chapter 34.05 RCW and this  
10 section. The request for an adjudicative proceeding must be filed  
11 within thirty calendar days after receiving notice of the agency review  
12 determination. If a request for an adjudicative proceeding is not made  
13 as provided in this subsection, the alleged perpetrator may not further  
14 challenge the finding and shall have no right to agency review or to an  
15 adjudicative hearing or judicial review of the finding.

16 ~~((+5))~~ (6) Reviews and hearings conducted under this section are  
17 confidential and shall not be open to the public. Information about  
18 reports, reviews, and hearings may be disclosed only in accordance with  
19 federal and state laws pertaining to child welfare records and child  
20 protective services reports.

21 ~~((+6))~~ (7) The department may adopt rules to implement this  
22 section.

23 NEW SECTION. **Sec. 13.** Sections 1 through 11 of this act take  
24 effect December 1, 2013."

25 Correct the title.

EFFECT: (1) Replaces references to "family assessment track" with  
references to "family assessment response."

(2) Allows the Department of Social and Health Services  
(department) to implement the family assessment response (FAR) on a  
phased-in basis, by geographical area.

(3) Modifies components in the implementation plan, and subsequent  
report to the legislature to:

(a) Clarify that the department must develop strategies to assist  
and connect families with the appropriate private or public housing  
supports for those parents whose inability to obtain or maintain safe

housing creates a risk of harm to the child, risk of out-of-home placement of the child, or a barrier to reunification;

(b) Add domestic violence victims advocates to the list of community partners the department may include in the development of community-based resources;

(c) Add a potential phase-in schedule if proposed;

(d) Add recommendations for legislative action required to implement the plan; and

(e) Add identification of philanthropic funding available to supplement public resources.

(4) Provides that if a family refused voluntary services, and the department cannot identify specific facts related to risk or safety that warrant an investigation, or a history of reports of child abuse or neglect, then the department must close the FAR case. (History of reports of child abuse or neglect is added.)

(5) Clarifies that the department may not provide the FAR in response to reports that identify an adjudicated dependent child, or a child in a facility that is licensed, operated, or certified for the care of children by the department under chapter 74.13 RCW, or by the department of early learning.

(6) Clarifies that the department must implement the FAR in a consistent and cooperative manner, rather than in a nonarbitrary, noncoercive, manner.

(7) Provides that FAR related information may not be disclosed to a child-placing agency, private adoption agency, or any other provider licensed under chapter 74.15 RCW without consent of the individual who is the subject of the FAR report, unless that individual: (a) Seeks to become a licensed foster or adoptive parent; or (b) the individual is the parent or legal custodian of a child being served by one of the agencies referenced above.

(8) Clarifies that upon completion of the family assessment, if, based upon the family's needs or lack thereof, identified in the family assessment, the department recommends that no services be offered, then the [FAR] case must be closed.

(9) Restores the definition of case management to include service coordination.

(10) Modifies the department's written notification requirements to individuals in founded reports of child abuse or neglect to remove the provision stating that founded allegations of child abuse or neglect may be used by others only if the perpetrator consents to the release of information to another individual.

--- END ---