

# SENATE BILL REPORT

## SB 5692

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As of March 3, 2015

**Title:** An act relating to permanency plans of care for dependent children.

**Brief Description:** Addressing permanency plans of care for dependent children.

**Sponsors:** Senators Hargrove and Darneille; by request of Department of Social and Health Services.

**Brief History:**

**Committee Activity:** Human Services, Mental Health & Housing: 2/09/15.

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Staff:** Alison Mendiola (786-7444)

**Background:** Permanency Plan. When a child is ordered removed from the home of a parent, the Department of Social and Health Services (DSHS) or supervising agency assumes responsibility for developing a permanency plan no later than 60 days after assuming responsibility. The permanency planning process must include reasonable efforts to return the child to the home of the parent. The supervising agency must submit a written permanency plan to all parties and the court at least 14 days before the scheduled hearing.

The permanency plan must identify the primary goal of the case and may identify alternative goals. These goals could include returning the child to the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care; successful completion of a responsible living program; or independent living. Unless the court has ordered the filing of a petition to terminate parental rights, the plan must include what steps will be taken to return a child home. All aspects of the plan must include the goal of achieving permanence for the child.

The plan must further specify what services the parents will be offered to allow them to resume custody, the requirements parents must meet to resume custody, and a time limit for each service and requirement.

Dependency Review Hearings. A court must review the status of all children found to be dependent at least every six months from the date a child was placed out of the child's parent's home or the date dependency is established, whichever is first. The purpose of these

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hearings is to review the progress of the parties and determine whether court supervision should continue.

The first review hearing must be an in-court review and be set six months from the beginning date of the child's placement out of home or no more than 90 days from the entry of the disposition order, whichever is first.

A child may not be returned home at a review hearing unless the court finds that a reason for removal no longer exists. If a child is returned home, casework must continue for six months, when there must be a hearing on the need for continued intervention.

If a child is not returned home at a review hearing, the court must establish in writing various determinations. Some of these determinations include the following:

- whether the supervising agency is making reasonable efforts to provide services to the family and eliminate the need for out-of-home placement;
- whether the parties complied with the case plan; and
- whether progress was made in correcting the problems that led to out-of-home care.

Federal Law. H.R. 4980 which passed into law in 2014, provides that all states must limit the use of another planned permanency living arrangement – i.e. long-term foster care – to youth ages 16 or older. States have until October 1, 2015, to comply with this requirement. Noncompliance would potentially jeopardize future Title IV-E funding. Washington's statute provides for long-term relative or foster care until the child is age 18.

**Summary of Bill:** Long-term relative or foster care is an option under a permanency plan if a child is between the ages of 16 and 18.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

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