

FINAL BILL REPORT

ESSB 5244

PARTIAL VETO

C 401 L 95

Synopsis as Enacted

Brief Description: Revising the definition of "dependent child" for purposes of aid to families with dependent children.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Owen and Hargrove).

Senate Committee on Human Services & Corrections

House Committee on Children & Family Services

Background: Currently, a child in need under 18 years of age who chooses to leave his or her parent's home and live with a relative may be defined as a dependent child. The child may be eligible to receive Aid to Families with Dependent Children assistance while living with the relative, with or without the approval of his or her parents. The parents of the child may be required to reimburse the Department of Social and Health Services for assistance payments made on behalf of the dependent child.

Summary: A responsible parent is excused from providing support for a dependent child receiving public assistance if the parent establishes: (1) he or she is the legal custodian; (2) the child left the home of the parent without the parent's consent; (3) there is no current investigation, pending case, or court order involving abuse or neglect by the parent; and (4) the parent attempted to regain custody of the child. The Department of Social and Health Services (DSHS) must adopt rules to implement this section.

When DSHS receives an Aid to Families with Dependent Children (AFDC) application and a DSHS employee has reason to believe that the child has suffered abuse or neglect, the employee is required to report the abuse.

Whenever an AFDC application is approved, DSHS must make a reasonable effort to determine whether the child is living with a parent. If the child is not living with the parent with whom the child most recently resided, DSHS must make a reasonable effort to notify the parent within seven days after approval of AFDC assistance, unless there is a substantiated claim that the parent abused the child. DSHS is required to notify the parent that AFDC assistance has been approved and advise the parent of his or her rights under the act.

DSHS is required to disclose the address of the child to the parent, when the parent requests the information in writing, unless there is a current investigation or pending case involving abuse or neglect by the parent.

DSHS must advise the parent of the provisions of the Family Reconciliation Act.

No AFDC provision can limit the requirements of DSHS to provide notification to parents or limit the right of a responsible parent to be excused from providing support for a dependent child under this act.

DSHS is required to seek federal waivers to fully implement the legislation and to report its efforts to the Legislature. A severability clause is included.

Votes on Final Passage:

Senate	48	0	
House	67	28	(House amended)
Senate			(Senate refused to concur)

Conference Committee

House	94	0
Senate	43	0

Effective: July 23, 1995

Partial Veto Summary: The Governor vetoed the provisions which relieved parents of the responsibility to provide support for their children, who receive public assistance, after leaving home without permission. The provisions requiring DSHS to seek federal waivers and report to the Legislature were also vetoed.