
SUBSTITUTE SENATE BILL 6436

State of Washington

60th Legislature

2008 Regular Session

By Senate Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Shin, Kohl-Welles, and Rockefeller; by request of Department of Social and Health Services)

READ FIRST TIME 02/04/08.

1 AN ACT Relating to placement of children in out-of-home care;
2 amending RCW 74.15.040; and adding a new section to chapter 26.44 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.44 RCW
5 to read as follows:

6 (1) During an emergency situation when a child must be placed in
7 out-of-home care due to the absence of appropriate parents or
8 custodians, the department shall request a federal name-based criminal
9 history record check of each adult residing in the home of the
10 potential placement resource. Upon receipt of the results of the name-
11 based check, the department shall provide a complete set of each adult
12 resident's fingerprints to the Washington state patrol for submission
13 to the federal bureau of investigation within fourteen calendar days
14 from the date the name search was conducted. The child shall be
15 removed from the home immediately if any adult resident fails to
16 provide fingerprints and written permission to perform a federal
17 criminal history record check when requested.

18 (2) When placement of a child in a home is denied as a result of a
19 name-based criminal history record check of a resident, and the

1 resident contests that denial, the resident shall, within fifteen
2 calendar days, submit to the department a complete set of the
3 resident's fingerprints with written permission allowing the department
4 to forward the fingerprints to the Washington state patrol for
5 submission to the federal bureau of investigation.

6 (3) The Washington state patrol and the federal bureau of
7 investigation may each charge a reasonable fee for processing a
8 fingerprint-based criminal history record check.

9 (4) As used in this section, "emergency placement" refers to those
10 limited instances when the department is placing a child in the home of
11 private individuals, including neighbors, friends, or relatives, as a
12 result of a sudden unavailability of the child's primary caretaker.

13 **Sec. 2.** RCW 74.15.040 and 1982 c 118 s 7 are each amended to read
14 as follows:

15 An agency seeking to accept and serve children, developmentally
16 disabled persons, or expectant mothers as a foster-family home shall
17 make application for license in such form and substance as required by
18 the department. The department shall maintain a list of applicants
19 through which placement may be undertaken. However, agencies and the
20 department shall not place a child, developmentally disabled person, or
21 expectant mother in a home until the home is licensed. The department
22 shall confirm that an applicant is a United States citizen or an
23 eligible noncitizen. A noncitizen is eligible if he or she has legal
24 permission to be in the United States. Citizenship or eligibility
25 status may be confirmed through verification of the applicant's social
26 security number. Foster-family homes shall be inspected prior to
27 licensure, except that inspection by the department is not required if
28 the foster-family home is under the supervision of a licensed agency
29 upon certification to the department by the licensed agency that such
30 homes meet the requirements for foster homes as adopted pursuant to
31 chapter 74.15 RCW and RCW 74.13.031.

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