

**RCW 26.38.120 Authority and responsibility of the department.**

(1) If the department has a reasonable basis to believe that a person has transferred or will transfer custody of a child in violation of RCW 26.38.110(1), the department must respond in accordance with chapter 74.13 RCW.

(2) If the department provides a child protective services response in accordance with chapter 26.44 RCW for a child adopted or placed through an intercountry adoption, the department shall:

(a) Prepare a report on the welfare and plan for permanent placement of the child; and

(b) Provide a copy of the report to the United States department of state. For the purpose of preventing child abuse or neglect, the department of children, youth, and families may disclose to the United States department of state only those confidential child welfare records that may assist the United States department of state in informing the child's country of origin that the custody of the child has been transferred in an unregulated custody transfer and describing the child's welfare and plan for permanent placement of the child. The records retain their confidentiality subject to RCW 13.50.100 and federal law.

(3) Chapter 88, Laws of 2022 does not prevent the department from taking any appropriate action to protect the welfare of the child.  
[2022 c 88 § 203.]