
HOUSE BILL 2217

State of Washington

54th Legislature

1996 Regular Session

By Representatives Carrell, Mitchell, Thompson, Cooke, Boldt, Backlund and Johnson

Read first time 01/08/96. Referred to Committee on Children & Family Services.

1 AN ACT Relating to at-risk youth; adding new sections to chapter
2 13.32A RCW; adding new sections to chapter 70.96A RCW; adding new
3 sections to chapter 71.34 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 13.32A RCW
6 to read as follows:

7 The parents of a child placed in a crisis residential center shall
8 contribute fifty dollars per day, for not more than five consecutive
9 days, for the expense of the child's placement. However, the secretary
10 may establish a payment schedule that requires a lesser payment based
11 on a parent's ability to pay. The payment shall be made to the
12 department. No child may be denied placement in, or removed from, a
13 crisis residential center based solely on the income of the parent.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.32A RCW
15 to read as follows:

16 (1) This section contains special provisions to deal with the
17 extraordinary dangers to children who are habitual runaways and to

1 assist families to cope with the acute problems presented by such
2 children.

3 (2) In disposition proceedings involving a child in need of
4 services or an at-risk youth, the court may adopt the additional orders
5 authorized under this section if it finds that the child involved in
6 those proceedings is an habitual runaway. The court may include in its
7 dispositional orders a requirement that the child be placed, for up to
8 one hundred eighty consecutive days, in a facility that the court finds
9 operates with a level of security adequate to prevent the child from
10 leaving the facility without authorization and that will provide for
11 the child's participation in a program designed to remedy his or her
12 behavior difficulties. The court may not include this requirement
13 unless, at the disposition hearing, it finds that the placement is
14 clearly necessary in order to protect the child and that less-
15 restrictive orders not requiring such placement would be inadequate to
16 protect the child, given the child's age, maturity, propensity to run
17 away from home, past exposure to serious risk when the child ran away
18 from home, and possible future exposure to serious risk should the
19 child run away from home again. The orders shall also contain
20 provisions providing for periodic court review of the placement, with
21 the first review hearing conducted not more than thirty days after the
22 date of the placement. Prior to each review hearing, the court shall
23 advise the parents of their right to counsel and shall have appointed
24 counsel to represent the child. At each review hearing the court shall
25 review the orders to determine the progress of the child and whether
26 the orders are still necessary for the protection of the child and
27 whether a less-restrictive order of placement would be adequate. The
28 court shall make such modifications in its orders as it finds necessary
29 to protect the child. Unless the court provides to the contrary,
30 review hearings of orders adopted under this section shall be held
31 exclusively under this section and shall not be subject to the review
32 provisions applicable under this chapter to disposition orders
33 pertaining to a child in need of services or to at-risk youth.

34 (3) In disposition proceedings involving a child in need of
35 services or an at-risk youth, the court may impose the following
36 additional sanction on an habitual runaway for violation of any court
37 order: The court may order the department of licensing to suspend the
38 child's driver's license for ninety days.

1 (4) For purposes of this section, a child is an "habitual runaway"
2 if the child, on three or more separate occasions within the twelve-
3 month period before the commencement of the disposition proceedings,
4 has been absent from the parent's home, or other residence lawfully
5 prescribed for the child, for more than seventy-two consecutive hours
6 without consent of the parent; or if the child during such twelve-month
7 period has been absent from such home or residence without consent of
8 the parent for more than thirty consecutive days.

9 (5) State funds may only be used to pay for placements under this
10 section if, and to the extent that, such funds are appropriated to
11 expressly pay for them.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.32A RCW
13 to read as follows:

14 A violation of RCW 13.32A.082 is a misdemeanor.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.96A RCW
16 to read as follows:

17 Any provider of treatment in an approved treatment program who
18 provides treatment to a minor under RCW 70.96A.095(1) must provide
19 notice of the request for treatment to the minor's parents. The notice
20 must be made within forty-eight hours of the request for treatment,
21 excluding Saturdays, Sundays, and holidays, and must contain the same
22 information as required under RCW 71.34.030(2)(b).

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.96A RCW
24 to read as follows:

25 Nothing in this chapter authorizes school district personnel to
26 refer minors to any treatment program or treatment provider without
27 providing notice of the referral to the parent, parents, or guardians.

28 NEW SECTION. **Sec. 6.** A new section is added to chapter 71.34 RCW
29 to read as follows:

30 Any provider of treatment at an evaluation and treatment facility
31 who provides treatment to a minor under RCW 71.34.030(1) must provide
32 notice of the request for treatment to the minor's parents. The notice
33 must be made within forty-eight hours of the request for treatment,
34 excluding Saturdays, Sundays, and holidays, and must contain the same
35 information as required under RCW 71.34.030(2)(b).

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 71.34 RCW
2 to read as follows:

3 Nothing in this chapter authorizes school district personnel to
4 refer minors to any evaluation and treatment program or mental health
5 professional without providing notice of the referral to the minor's
6 parent.

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