

HOUSE BILL ANALYSIS

SSB 6001

Title: *An act relating to the office of the family and children's ombudsman; amending RCW 43.06A.030, 13.34.105, and 13.50.100; adding a new section to chapter 26.12 RCW; adding new sections to chapter 43.06A RCW; and adding a new section to chapter 13.50 RCW.*

Brief Description: *Providing for the disclosure of information to the office of the family and children's ombudsman.*

Sponsors: *Senators Hargrove, Long, Winsley and Rasmussen.*

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: *March 24, 1999.*

Bill Analysis Prepared by: *Marilee Scarbrough (786-7196).*

Background: The Office of the Family and Children's Ombudsman is housed within the Office of the Governor. Its purpose is to promote public awareness and understanding of family and children's services, identify system issues and responsibilities, and ensure compliance with the appropriate laws, rules, and regulations pertaining to family and children's services and the placement, supervision and treatment of children in the state's care or in state licensed facilities.

Summary of Bill: Language requiring the ombudsman's office to periodically review facilities and procedures of state institutions serving children is deleted.

A contracting agency or service provider of the Department of Social and Health Services (DSHS) that provides counseling, psychological, psychiatric or medical services may release relevant confidential information to the ombudsman.

A guardian ad litem may release confidential information, records and reports to the ombudsman in family court, dependency and termination cases.

DSHS shall permit the ombudsman to communicate privately with any child in the department's custody; allow physical access to state institutions serving children; upon request, allow the ombudsman to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department; and grant the obudsman assess to the Case and Management Information System (CAMIS).

Retaliatory action is prohibited against employees of DSHS, a contacting agency, a foster parent, or a recipient of family and children's services for any communication made, or information given or disclosed to aid the office of ombudsman unless it was given maliciously or in bad faith.

Employees of the ombudsman's office are not liable for good faith performance of their responsibilities. Communications of the ombudsman related to carrying out their responsibilities are privileged. Disclosure of privileged communication by the attorney general is not a waiver of privilege. The ombudsman shall have the right to apply for and accept grants.

Appropriation: None.

Fiscal Note: None.

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