

WAC 112-10-020 Definitions. For purposes of these rules the following terms have the meanings indicated:

(1) "Administrative act" means an act, decision recommendation, or omission made by a:

(a) Government agency or its contracting entity; or

(b) State-licensed, or state-certified, agency or facility, that affects:

(i) A child who was, is, or may be, in need of state protection due to child abuse or neglect;

(ii) A family who was, or is, under state supervision or receiving state services due to allegations or findings of child abuse or neglect; or

(iii) A child who was, is, or may be in need of services under RCW 13.32A.030;

(c) Provided that, an administrative act does not include a specific act, decision, recommendation, or omission made by:

(i) A judge, commissioner, administrative law judge, hearing examiner, attorney, court-appointed special advocate, guardian ad litem, or parenting investigator in a legal or adjudicative proceeding;

(ii) A law enforcement official in a criminal investigation;

(iii) A member of the legislature or the member's staff; or

(iv) The governor or the governor's staff.

(2) "Child abuse or neglect" means child abuse, neglect, or abandonment, or parental incapacity, as defined in RCW 13.34.030(4) and 26.44.020.

(3) "Committee" means the legislative children's oversight committee.

(4) "Confidential" refers to information that the ombudsman determines is protected by federal or state law from public disclosure or further dissemination.

(5) "Department" or "DSHS" means the department of social and health services.

(6) "Family and children's services" are services provided by or through the department or other government agencies, or state-licensed agencies, to:

(a) Children who are, or may be, at risk of child abuse or neglect, and their families;

(b) Children and families who are the subject of allegations or findings of child abuse or neglect; or

(c) Children who are, or may be, in need of services under chapter 13.32A RCW.

(7) "Investigative records" refers to all records generated by OFCO, confidential records obtained or held by OFCO, or materials obtained by OFCO from complainants or witnesses.

(8) "OFCO" refers to the office of the family and children's ombudsman.

(9) "Ombudsman" refers to the director of the office of family and children's ombudsman.

(10) "Secretary" means the secretary of the department.

[Statutory Authority: RCW 43.06A.030(8). WSR 00-23-046, § 112-10-020, filed 11/13/00, effective 12/14/00. Statutory Authority: RCW 43.06A.030(6). WSR 00-05-036, § 112-10-020, filed 2/10/00, effective 3/12/00; WSR 97-21-066, § 112-10-020, filed 10/14/97, effective 11/14/97.]