

OFFICE OF THE FAMILY AND CHILDREN'S OMBUDSMAN

TESTIMONY ON HB 3187

House Committee on Early Learning & Children's Services
February 4, 2008
Olympia, WA

Good evening Madam Chair Kagi and Members of the Committee. My name is Mary Meinig and I am the Director of the Office of the Family & Children's Ombudsman. We welcome this opportunity to comment on HB 3187 and thank Representative Pettigrew and other members for their sponsorship of this measure.

- We applaud the legislative intent of this bill which is to “promote postadoption and post permanency services to children and families in order to support families, to reduce adoption disruptions and terminations and to increase the number of potential adoptive families.” This bill is designed to be pro-active so that small problems don't develop into huge problems.
- As the Committee may know, in our recently issued 2006 annual report, we highlighted our concern that the current system is not adequately meeting the needs of families with adopted children, particularly those with developmental disabilities and/or serious mental illness. We routinely hear from parents who report great difficulty accessing services not already agreed upon through the adoption support program, especially when the parents are requesting temporary out-of-home placements. The extent of a child's needs, at the time an adoption support agreement is agreed upon, may not be fully known.
- We said in our annual report, and we reiterate here, that “the State of Washington is indebted to families who have chosen to adopt dependent children with special needs, and DSHS should devote special attention to families who later experience great difficulty managing these children and accessing effective services. These families should receive the highest level of service available, given the invaluable gift — a permanent commitment -- they have provided to a former foster child.”

- These families are in a state of crisis and report feeling pushed to the edge by a system that is unresponsive or even punitive. For example, OFCO investigated two cases in which the Department reported alleged “abandonment” by the parents to CPS. These referrals were based on the parents’ reluctance to have children with violent behaviors return home after a brief, temporary placement due to their concerns that it would jeopardize the safety of the entire family. Sometimes, such families reach a point where parenting the child has been so stressful over such a prolonged period that they wish to permanently sever ties to the child. This decision is reached after much anguish, guilt, stress, and often under circumstances in which the personal physical safety of family members has been threatened by the adopted child. We firmly believe that if these families can be supported with ongoing and appropriate counseling and other needed services prior to reaching a breaking point, then many adoption disruptions could be avoided.
- **We investigated one case involving a 14 year old who had been adopted at age 2 and at age 12 began to exhibit violent behaviors. After the youth was arrested a second time for assaulting the father, and placed in juvenile detention, the parents decided they were unable to have the youth back in the home. The youth was temporarily placed in a therapeutic group home and the agency expected that the child would be returned to the home after 6 months, which the parents believed was unrealistic. The parents were told that if they vacated the adoption, the child would have access to many more services. The parents were unwilling to do this; they believed that the State should be more empowered to assist families in their situation.**
- In our annual report, we called for a system of services to meet the needs of these families that would include crisis intervention and wraparound services, as well as a protocol for collaboration between Children’s Administration and other DSHS divisions such as the Division on Developmental Disabilities and the Mental Health Division) in order to quickly access and coordinate needed services and /or placement.

- HB 3187 addresses some of our goals. It would provide families who have adopted children out of foster care, subject to the availability of funds, with a service provider who would serve as a central point of contact. This designated provider would support families by providing adoption-related information and referrals for services. Currently, it appears that much of this leg work is left to the persistence, ingenuity, and resourcefulness of individual families trying to navigate the system. This can be overwhelming for families already in a state of crisis and fatigue.
- The bill further provides, again subject to the availability of funds, education advocacy services to help parents navigate the education system, to provide direct advocacy for children, and to provide overall support.
- The bill mandates that DSHS provide outreach to parents of children adopted out of foster care and encourages them to have the functioning of the adopted child as it relates to the family assessed on an annual basis. This appears to be a proactive measure designed to identify strengths and weaknesses of the parent-child dynamic in the context of adoption related issues and to determine if the family would benefit from additional services. It is an opportunity to address problems before they become overwhelming and entrenched in the parent-child relationship.
- We believe that this bill, like HB 2846, which addresses residential treatment for adopted children, provides reassurance to prospective adoptive parents who are concerned about what the future might hold for them as a family of an adopted child with special needs. They want to know that if their adopted child develops more pronounced behavioral problems or mental health issues, the parents will get the support they need to maintain and strengthen the adoptive placement. We think that the availability of these post adoption services may make prospective adoptive parents more willing to make a permanent commitment to a child coming out of foster care than they might otherwise be.
- We support the intent of HB 3187 and thank Representative Pettigrew for his sponsorship of this measure.