

himself liable as maker, guarantor, or indorser, shall be considered as a loan for the purposes of this chapter.

Passed the House March 28, 1983.

Passed the Senate April 21, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

CHAPTER 310

[Engrossed House Bill No. 905]

STATE RESIDENTIAL SCHOOLS—PAYMENT ELIGIBILITY AND AMOUNT

AN ACT Relating to state residential schools; and amending section 4, chapter 251, Laws of 1961 as last amended by section 12, chapter 71, Laws of 1974 ex. sess. and RCW 72.33.815.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 4, chapter 251, Laws of 1961 as last amended by section 12, chapter 71, Laws of 1974 ex. sess. and RCW 72.33.815 are each amended to read as follows:

The parent or guardian of a retarded or developmentally disabled person may make application to the secretary of social and health services for the payment of all, or a portion of, the monthly cost of care, treatment, maintenance, support and training of such mentally retarded or developmentally disabled person, whether in a day training center or a group training home or a combination thereof or otherwise, approved by the department. In determining eligibility and the amount of payment, the secretary shall make special provision for group training homes where parents are required to provide some of the care and training of the person. The special provisions shall include establishing eligibility requirements for a person placed in such a group training home to have a parent able and willing to provide some of the care and training of the person. The secretary, after investigation, may accept or reject the application, and, if accepted, shall determine the extent and type of care and training and the amount which the department will pay, based upon the needs of such mentally retarded or developmentally disabled person and the ability of the parent or the guardian to pay, or contribute to the payment of the monthly cost of such care and training. The secretary, may, upon application of such parent or guardian, after investigation of the ability or inability of such persons to pay, or without application being made, modify the amount of the monthly payments to be paid by the department of social and health services for the care and training of such mentally retarded or developmentally disabled persons whether

at a day training center or group training home or combination thereof or otherwise.

Passed the House March 30, 1983.

Passed the Senate April 20, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

CHAPTER 311

[Engrossed Substitute House Bill No. 906]

DEVELOPMENTALLY DISABLED JUVENILES—OUT-OF-HOME PLACEMENT—COURT REVIEW

AN ACT Relating to developmentally disabled juveniles; amending section 31, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 129, Laws of 1982 and RCW 13.34.030; amending section 6, chapter 160, Laws of 1913 as last amended by section 17, chapter 3, Laws of 1983 and RCW 13.34.070; amending section 5, chapter 302, Laws of 1961 as last amended by section 44, chapter 155, Laws of 1979 and RCW 13.34.110; amending section 41, chapter 291, Laws of 1977 ex. sess. as amended by section 46, chapter 155, Laws of 1979 and RCW 13.34.130; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that in order for the state to receive federal funds for family foster care under Title IV-B and Title IV-E of the social security act, all children in family foster care must be subjected to periodic court review. Unfortunately, this includes children who are developmentally disabled and who are placed in family foster care solely because their parents have determined that the children's service needs require out-of-home placement. Except for providing such needed services, the parents of these children are completely competent to care for the children. The legislature intends by this act to minimize the embarrassment and inconvenience of developmentally disabled persons and their families caused by complying with these federal requirements.

Sec. 2. Section 31, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 129, Laws of 1982 and RCW 13.34.030 are each amended to read as follows:

For purposes of this chapter:

(1) "Child" and "juvenile" means any individual under the age of eighteen years;

(2) "Dependent child" means any child:

(a) Who has been abandoned; that is, where the child's parent, guardian, or other custodian has evidenced either by statement or conduct, a settled intent to forego, for an extended period, all parental rights or all parental responsibilities despite an ability to do so; ((or))

(b) Who is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child; ((or))