

SENATE BILL REPORT

SB 5599

As Reported by Senate Committee On:
Human Services, February 14, 2023

Title: An act relating to supporting youth and young adults seeking protected health care services.

Brief Description: Supporting youth and young adults seeking protected health care services.

Sponsors: Senators Liias, Wilson, C., Dhingra, Lovelett, Nguyen and Randall.

Brief History:

Committee Activity: Human Services: 2/06/23, 2/14/23 [DPS, DNP].

Brief Summary of First Substitute Bill

- Provides that a licensed shelter for runaway or homeless youth does not need to contact the youth's parents if there is a compelling reason not to, which includes a youth seeking protected health services.
- Allows host homes to house youth without parental permission if a youth is seeking or receiving protected health care services.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: That Substitute Senate Bill No. 5599 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

Minority Report: Do not pass.

Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J..

Staff: Alison Mendiola (786-7488)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Youth Shelters. If a licensed overnight shelter or licensed organization provides services to homeless or runaway youth and their families, shelters a youth and knows that the child is away from home without parental permission, it must contact the youth's parents within 72 hours, but preferably in 24 hours. If there are compelling reasons to not notify the parents, the shelter or organization is to contact the Department of Children, Youth and Families (DCYF) instead. Compelling reasons include, but are not limited to circumstances that indicate notifying the parent or legal guardian will subject the minor to abuse or neglect.

Host Homes. A host home program operated by a tax exempt organization for youth not in the care of or receiving services from DCYF does the following:

- recruits and screens potential homes in the program, including performing background checks on individuals over the age of 18 residing in the home, through the Washington State Patrol or equivalent law enforcement agency, and performs physical inspections of the home;
- obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth, authorizing the youth to participate in the program, and the authorization is updated every six months;
- obtains insurance for the program through an authorized insurance provider;
- provides mandatory reporter and confidentiality training; and
- registers with the Secretary of State.

Host home means a private home that volunteers to host youth in need of temporary placement that is associated with a host home program.

Office of Homeless Youth Prevention and Protection. Created in 2015, the Office of Homeless Youth Prevention and Protection leads statewide efforts to reduce and prevent homelessness for youth and young adults through priority service areas to ensure youth and young adults have stable housing, family reconciliation, permanent connections, education and employment, and social and emotional well-being.

Summary of Bill (First Substitute): If a licensed youth shelter or homeless youth program knows a youth is away from home with permission, that shelter or program has a duty to contact the parents or guardians unless a compelling reason exists. Compelling reasons include when a minor is seeking or receiving protected health care services. Mandated reports have a duty to report child abuse and neglect.

Host homes do not need parent or legal guardian authorization if there is a compelling reason not to contact the parent or guardian. Compelling reason means that youth is in the host home or seeking placement in a host home while seeking or receiving protected health care services.

Protected health care services means gender-affirming treatment and reproductive health

care services that are lawful in the state of Washington. Gender-affirming treatment means health services or products that support and affirm an individual's gender identity, including social, psychological, behavioral, and medical or surgical interventions. Gender-affirming care services include, but are not limited to, evaluation and treatments for gender dysphoria, gender-affirming hormone therapy, and gender-affirming surgical procedures. Reproductive health care services means all services, care, or products of a medical, surgical, psychiatric, therapeutic, mental health, behavioral health, diagnostic, preventative, rehabilitative, supportive, counseling, referral, prescribing, or dispensing nature relating to the human reproductive system including, but not limited to, all services, care, and products relating to pregnancy, assisted reproduction, contraception, miscarriage management, or the termination of a pregnancy, including self-managed terminations.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

Language regarding compelling reasons to not contact a parent is struck from unlicensed shelters. Reiterates that for licensed shelter or programs serving homeless youth, they are mandated reporters of child abuse and neglect. Grant program within the Office of Homeless Youth struck. Technical change.

Appropriation: The bill contains an appropriation totaling \$7,500,000.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Access to health care is important to everyone, but especially trans youth. When you don't have access it leads to life long challenges, including mental health. One in three trans youth report attempting suicide, this rate is much higher than for cis gendered peers. Not every family is ready to provide support to trans youth so if that youth is seeking protected health services, they should be able to safely access that care in supportive environments like shelters and host homes. If shelters are not able to get in touch with the parents, they contact DCYF so there is someone protecting the best interests of the youth. Until the day all kids are accepted, we need to provide loving and supporting places so we can all reach our potential we were given at birth. LGBTQIA+ youth are overrepresented among the homeless, due to families kicking them out or a person seeking services from another state. Our state has a long history of advocating for the rights of LGBTQ community and this bill continues that tradition. We know people are moving to Washington, this will help support families seeking access to services. All youth deserve a stable home. This bill doesn't change medical laws or consent required, but provides support for trans youth.

CON: There is no mention about parents or parental involvement but rather an emotional response to helping children. Minors cannot consent to these kinds of medical procedures. The bill doesn't say how long youth can be away from home, this should be considered child abuse. A parents job is to protect their child, this bill strips parents of that ability. Gender is in your imagination. This bill legalizes the kidnapping of children, allows for the harboring of minors, and segregates us from the union. Children should not be housed in mixed sex situations.

Persons Testifying: PRO: Senator Marko Liias, Prime Sponsor; J. Denise Diskin, QLaw Foundation of Washington; Megan Veith, Building Changes; Jarel Sanders, Equal rights Washington; Matthew Wilson, Oasis Youth Center; Heather Maisen, Public Health -- Seattle and King County.

CON: Eric Pratt, America; Julie Barrett, Conservative Ladies of Washington; Oli London ; Dawn Land; Alexandra Chrostowski, Gays Against Groomers; Justine Kreher; Marc Nance; Sarah Garriott; Linda Ader; Joshua Hardwick; Andy Cilley, Lakewood CARES; Laurie Layne; Amy Sousa; Leah Anaya, Washington Moms For America; Theresa Schrempp; Dawn Seaver; Erin Brewer; Sharon Slater, Global Helping to Advance Women and Children; Lisa Olson; Brad Payne, Family Policy Institute of Washington; Bonnie Ruiz, Moms for America.

Persons Signed In To Testify But Not Testifying: CON: Karina Kararush; Anthony Carey; Lisa Manske; Keith Adams, Director of Grassroots Outreach; THEODORE CHAMPINE; Trish Huddleston.