

HOUSE BILL NO. HB0086

Child placement orders.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to the Child Protection Act, Children in
2 Need of Supervision Act and Juvenile Justice Act; providing
3 that the court ordering out of home psychiatric residential
4 treatment shall refer the matter to a multidisciplinary
5 team for selection of a treatment facility; providing
6 determination procedures; and providing for an effective
7 date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 14-3-429(c) by creating a new
12 paragraph (iv), 14-6-229(e) by creating a new paragraph (v)
13 and 14-6-429(c) by creating a new paragraph (iv) are
14 amended to read:

15

1 14-3-429. Decree where child adjudged neglected;
2 dispositions; terms and conditions; legal custody.

3
4 (c) In cases where a child is ordered removed from
5 the child's home:

6
7 (iv) The court in its order shall not specify a
8 particular psychiatric residential treatment facility or
9 level of care for the placement of the child but shall
10 refer the matter to the multidisciplinary team to identify
11 the least restrictive environment consistent with the
12 court's findings and make their recommendations to the
13 department. The department shall make the decision of
14 placement and immediately provide written notice of the
15 proposed placement facility to the child, the child's
16 parents, the child's representative, any current placement
17 provider and the office of the district attorney of
18 original jurisdiction, personally or by certified mail to
19 the recipient's last known address. The department may
20 immediately proceed with the placement and a party shall be
21 deemed to have approved the placement if that party fails
22 to request a placement hearing before the court within ten
23 (10) days after notice of the placement is served on the
24 party. At a placement hearing, the court shall affirm the

1 placement if the department's decision is supported by
2 substantial evidence of the medical needs and best
3 interests of the child.

4
5 **14-6-229. Decree where child adjudged delinquent;**
6 **dispositions; terms and conditions; legal custody.**

7
8 (e) In cases where a child is ordered removed from the
9 child's home:

10
11 (v) The court in its order shall not specify a
12 particular psychiatric residential treatment facility or level of
13 care for the placement of the child but shall refer the matter to
14 the multidisciplinary team to identify the least restrictive
15 environment consistent with the court's findings and make their
16 recommendations to the department. The department shall make the
17 decision of placement and immediately provide written notice of
18 the proposed placement facility to the child, the child's
19 parents, the child's representative, any current placement
20 provider and the office of the district attorney of original
21 jurisdiction, personally or by certified mail to the recipient's
22 last known address. The department may immediately proceed with
23 the placement and a party shall be deemed to have approved the
24 placement if that party fails to request a placement hearing
25 before the court within ten (10) days after notice of the

1 placement is served on the party. At a placement hearing, the
2 court shall affirm the placement if the department's decision is
3 supported by substantial evidence of the medical needs and best
4 interests of the child.

5
6 **14-6-429. Decree where child adjudged in need of**
7 **supervision; dispositions; terms and conditions; legal**
8 **custody.**

9
10 (c) In cases where a child is ordered removed from
11 the child's home:

12
13 (iv) The court in its order shall not specify a
14 particular psychiatric residential treatment facility or
15 level of care for the placement of the child but shall
16 refer the matter to the multidisciplinary team to identify
17 the least restrictive environment consistent with the
18 court's findings and make their recommendations to the
19 department. The department shall make the decision of
20 placement and immediately provide written notice of the
21 proposed placement facility to the child, the child's
22 parents, the child's representative, any current placement
23 provider and the office of the district attorney of
24 original jurisdiction, personally or by certified mail to

1 the recipient's last known address. The department may
2 immediately proceed with the placement and a party shall be
3 deemed to have approved the placement if that party fails
4 to request a placement hearing before the court within ten
5 (10) days after notice of the placement is served on the
6 party. At a placement hearing, the court shall affirm the
7 placement if the department's decision is supported by
8 substantial evidence of the medical needs and best
9 interests of the child.

10

11 **Section 2.** This act is effective July 1, 2013.

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(END)