

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

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

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

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

11
12 (v) When the court orders the child to enter a
13 psychiatric residential treatment facility the order shall
14 not specify a particular psychiatric residential treatment
15 facility or level of care for the placement of the child
16 but shall refer the matter to the multidisciplinary team to
17 identify the least restrictive environment consistent with
18 the 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 **14-6-429. Decree where child adjudged in need of**
12 **supervision; dispositions; terms and conditions; legal**
13 **custody.**

14
15 (c) In cases where a child is ordered removed from
16 the child's home:

17
18 (iv) When the court orders the child to enter a
19 psychiatric residential treatment facility the order shall
20 not specify a particular psychiatric residential treatment
21 facility or level of care for the placement of the child
22 but shall refer the matter to the multidisciplinary team to
23 identify the least restrictive environment consistent with
24 the court's findings and make their recommendations to the

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12 party. At a placement hearing, the court shall affirm the
13 placement if the department's decision is supported by
14 substantial evidence of the medical needs and best
15 interests of the child.

16

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

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19

(END)