

Part III. Construction.

NEW SECTION. Sec. 23. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB 58). The provisions of Part I of the instant bill seek to change existing laws. The provisions of Part II seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of Part I shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part I shall expire and the provisions of Part II shall concomitantly become effective. It is the further intent of the legislature that Part II of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs than any amendatory provisions of Part II of this bill shall be construed as amending the correlative sections of the 1969 education code, any repealing provisions of Part II shall be construed as repealing the correlative section of the 1969 education code, and any new or additional provisions of Part II shall be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 24. Part II of this 1969 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on the date upon which the 1969 education code becomes effective.

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CHAPTER 35
[Engrossed Substitute House Bill No. 303]
CHILDREN, MENTALLY RETARDED PERSONS--
ABUSE, NEGLECT--REPORTING

AN ACT Relating to health and welfare of children and the mentally retarded and authorizing the reporting of suspected cases of physical abuse or neglect; amending section 1, chapter 13,

Laws of 1965 and RCW 26.44.010; amending section 2, chapter 13, Laws of 1965 and RCW 26.44.020; amending section 3, chapter 13, Laws of 1965 and RCW 26.44.030; amending section 4, chapter 13, Laws of 1965 and RCW 26.44.040; amending section 5, chapter 13, Laws of 1965 and RCW 26.44.050; and adding a new section to chapter 13, Laws of 1965 and to chapter 26.44 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 13, Laws of 1965 and RCW 26.44-.010 are each amended to read as follows:

In order to protect children and the mentally retarded whose health and welfare may be adversely affected through the infliction, by other than accidental means of death, physical injury and/or physical neglect, or sexual abuse, (~~requiring the attention of a practitioner of the healing arts,~~) the Washington state legislature hereby provides for the reporting of such cases (~~by such practitioners~~) to the appropriate public authorities. It is the intent of the legislature that, as a result of such reports, protective services shall be made available in an effort to prevent further abuses, and to safeguard and enhance the general welfare of such children.

Sec. 2. Section 2, chapter 13, Laws of 1965 and RCW 26.44.020 are each amended to read as follows:

For the purpose of and as used in this chapter:

(1) "Court" means the superior court of the state of Washington juvenile department.

(2) "Law enforcement agency" means the police department, the prosecuting attorney or the office of the sheriff.

(3) "Practitioner of the healing arts" or "practitioner" means a person licensed by this state to practice chiropody, chiropractic, dentistry, osteopathy and surgery, or medicine and surgery. The term "practitioner" shall include a duly accredited Christian Science practitioner: PROVIDED, HOWEVER, That a child who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner shall not be considered, for that reason alone, a physically neglected child for the pur-

poses of this chapter.

(4) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment or care.

(5) "Department" means the state department of public assistance.

(6) "Child" or "children" means any person under the age of eighteen years of age and shall also include any mentally retarded person regardless of age.

(7) "Professional school personnel" shall include, but not be limited to, teachers, counselors, administrators, and school nurses.

(8) "Social worker" shall mean anyone engaged in encouraging or promoting the health or welfare or support or education of children under the age of eighteen years, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.

(9) "Psychologist" shall mean any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(10) "Pharmacist" shall mean any registered pharmacist under the provisions of chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(11) "Clergyman" shall mean any regularly licensed or ordained minister or any priest of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

Sec. 3. Section 3, chapter 13, Laws of 1965 and RCW 26.44.030 are each amended to read as follows:

(1) When any practitioner, professional school personnel, registered nurse, social worker, psychologist, pharmacist, clergyman or employee of the department of public assistance has reasonable cause to believe that a child ((~~under the age of eighteen years brought before him or coming to him for examination, care, or treatment~~)) has died or has had physical injury or injuries inflicted upon him, other than by accidental means, or ((~~when~~)) is found to be suffering from physical neglect, or sexual abuse, he may report such incident or cause a report to be made to the proper law enforcement

agency or to the department of public assistance as provided in RCW 26.44.040.

(2) When a practitioner, professional school personnel, registered nurse, social worker, psychologist, pharmacist, clergyman or employee of the department of public assistance is attending a child (~~(under-the-age-of-eighteen-years)~~) as part of his regular duties (~~((as-a-staff-member-of-an-institution))~~) and has cause to believe that such child has died or has had physical injury or injuries inflicted upon him other than by accidental means or who is found to be suffering from physical neglect, or sexual abuse, he may notify the person in charge of the institution, organization, school or the department or his designated representative, who may report the incident or cause such reporting to be made as provided in RCW 26.44.040.

Sec. 4. Section 4, chapter 13, Laws of 1965 and RCW 26.44.040 are each amended to read as follows:

An immediate oral report may be made by telephone or otherwise to the proper law enforcement agency or the department of public assistance and may be followed by a report in writing. Such reports shall contain the following information, if known:

- (1) The name, address and age of the child;
- (2) The name and address of the child's parents; stepparents; guardians or other persons having custody of the child;
- (3) The nature and extent of the child's injury or injuries;
- (4) The nature and extent of the child's physical neglect;
- (5) The nature and extent of the sexual abuse;
- (6) Any evidence of previous injuries, including their nature and extent; and
- (7) Any other information which (~~((r-in-the-opinion-of-the practitioner, r))~~) may be helpful in establishing the cause of the child's death, injury or injuries and the identity of the perpetrator or perpetrators.

Sec. 5. Section 5, chapter 13, Laws of 1965 and RCW 26.44.050 are each amended to read as follows:

Upon the receipt of a report concerning the possible nonaccidental infliction of a physical injury upon a child or physical neglect, or sexual abuse, it shall be the duty of the law enforcement agency or the department of public assistance to investigate and provide child welfare services in accordance with the provision of chapter 74.13 RCW, and where necessary to refer such report to the court.

NEW SECTION. Sec. 6. There is added to chapter 13, Laws of 1965 and to chapter 26.44 RCW a new section to read as follows:

The department shall maintain a central registry of reported cases of child abuse and shall adopt such rules and regulations as necessary in carrying out the provisions of this section. Records in the central registry shall be considered confidential and privileged and will not be available to any person or agency except law enforcement agencies as defined in this 1969 amendatory act.

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CHAPTER 36
[Substitute House Bill No. 239]
INSTITUTIONS OF HIGHER
EDUCATION--PERSONNEL ADMINISTRATION

AN ACT Relating to state institutions of higher education; establishing a system of personnel administration for state institutions of higher education; amending section 2, chapter 1, Laws of 1961, as amended by section 48, chapter 8, Laws of 1967 ex. sess., and RCW 41.06.020; amending section 4, chapter 1, Laws of 1961 and RCW 41.06.040; amending section 7, chapter 1, Laws of 1961, as last amended by section 47, chapter 8, Laws of 1967 ex. sess., and RCW 41.06.070; amending section 20, chapter 1, Laws of 1961, and RCW 41.06.200; repealing section 5, chapter 1, Laws of 1961, and RCW 41.06.050; adding new sections to Title 28 as a new chapter thereof unless or until the proposed education code of 1969 (HB...) shall become effective, at which time it shall be added thereto as a new chapter thereof; and providing an effective date.