

NEW SECTION

WAC 192-500-190 Placement.

(1) For the purposes of qualifying for paid family leave to bond with a child under RCW 50A.05.010, "placement" means the adoptive, guardianship, foster care, or non-parental custody placement of a child under the age of eighteen with the employee. A placement is considered:

(a) An adoptive placement when the employee is legally and permanently assuming the responsibility of raising the child as their own, and the placement of the child into the employee's home is made through a private arrangement, a child placement agency, or a state agency.

(b) A guardianship placement when the guardianship of the child is granted to the employee under Title 11 or Title 13 RCW and the child is living in the home of the employee.

(c) A foster care placement when the employee is providing care for a child placed in the employee's home. Such placements must involve voluntary or involuntary removal of the child from the parents or guardian, and an agreement between a state agency and the foster family that the foster family will take care of the child. Although foster care placement may be with a relative of the child or another individual who may not have a foster

care license, state agency action must be involved in the removal of the child from parental custody.

(d) A non-parental custody placement when the child is placed into the home of the employee by court order.

(2) For the purposes of this section, a "state agency" may include an agency of any branch of government at the city, state, national, or international level.

(3) The entitlement to paid family leave benefits for placement of a child expires at the end of the twelve-month period beginning on the date the child was first placed in the home.

(4) When applying for paid family leave to bond with a child, the employee must provide documentation referenced in WAC 192-610-025 to verify placement of the child.

(5) Qualifying paid family leave to bond with a child placed for adoption, guardianship, foster care, or non-parental custody does not include:

(a) Placement with a birth parent; and

(b) Any adoptive, guardianship, foster care, or non-parental custody placement of a child with an employee that occurs more than twelve months after that child is first placed in the employee's home.

Example 1: A child is placed in the employee's home as a foster care placement. The employee adopts the child more than twelve

months after the initial foster care placement. The employee is not eligible to take paid family leave to bond with the child a second time.

Example 2: A child is placed in the employee's home as a foster care placement. More than twelve months after that initial placement, the same child is placed in the employee's home again. The employee is not eligible to take paid family leave to bond with the child the second time.