

SB 243 -1, -3, -4 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 2/1, 2/8

WHAT THE MEASURE DOES:

Includes certified foster homes and developmental disabilities residential facilities in statutes concerning welfare of children in care. Declares emergency, effective on passage.

FISCAL: May Have Fiscal Impact, But No Statement Yet Issued

REVENUE: No Revenue Impact

ISSUES DISCUSSED:

- Number of new child placement settings incorporated
- Effect of reporting requirements on agency, newly included child placement settings
- Department's outreach plans to newly included child placement settings about new requirements
- Reason for -3 amendment – delayed implementation, rulemaking, which children covered by measure

EFFECT OF AMENDMENT:

-1 : Removes notification requirement to parents or guardians of child in care upon finding that abuse report is substantiated. Requires notification of local citizen review board of substantiated abuse report.

-3 : Exempts children residing at listed entities from "child in care" if child is residing in home of their parent. Exempts certain child-caring agencies from certain training and materials requirements if agency has no staff or volunteers. Delays operative date to January 1, 2018. Authorizes rulemaking before operative date.

-4 : Defines "involuntary seclusion" of a child in care.

BACKGROUND:

Current Oregon law contains a number of provisions that concern the welfare of children in care, including statutes that define what conduct constitutes abuse and neglect, provide for notification of abuse investigations, licensing of child-caring agencies, and abuse reporting requirements. Child abuse notifications and investigations are triggered when the Department of Human Services (DHS) becomes aware of any kind of formal or informal report of suspected child abuse at a child-caring agency. Generally, a report prompts DHS to notify appropriate child-caring agency licensing personnel within DHS, notify other government entities with contracts with that agency, and commence an investigation.

Senate Bill 243 extends the applicability of these procedures to certified foster homes and developmental disabilities residential facilities.