

SB 832 -4 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/26, 4/2

WHAT THE MEASURE DOES:

Declares purpose of Critical Incident Review Teams (CIRTs) and defines “critical incident” as resulting in the unexpected death of a child in the care or custody of the Department of Human Services (DHS) at the time; or that DHS reasonably believes may be the result of child abuse, as specified. Directs DHS to assign CIRT within seven days after DHS becomes aware of fatality or within three days after DHS causes an investigation to be made into the nature and cause of the fatality. Modifies CIRT membership to allow inclusion of local citizen review board member and a legislator, as specified. Requires every CIRT submit final written report to DHS with specified information at conclusion of review or by 60th day following date of assignment, whichever is earlier, unless DHS extends deadline. Directs DHS publish to website within 24 hours of receipt of report: the date of fatality, age of deceased child, date CIRT was assigned, due date of CIRT’s final report, and other information regarding the child’s involvement with DHS. Allows DHS to redact final report prior to publication only as necessary to remove information required to be kept confidential under state or federal law.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-4 Defines “critical incident” as resulting in the unexpected death of a child if DHS reasonably believes death was result of child abuse and the child was in the care or custody of DHS at the time or any child in the household came to attention of DHS in prior 12 months. Directs DHS to assign CIRT within ten days after DHS becomes aware of fatality caused by child abuse or within seven days after DHS causes an investigation to be made into the nature and cause of the fatality if fatality is result of child abuse. Requires every CIRT submit final written report to DHS with specified information no later than 100th day following date of assignment, unless DHS extends deadline. Directs DHS publish specified information regarding each CIRT to website within 10 days of receipt of report. Declares emergency, effective on passage.

REVENUE: No revenue impact.

FISCAL: May have fiscal impact, but no statement yet issued.

BACKGROUND:

Oregon law requires the Department of Human Services (DHS) to assign a Critical Incident Response Team (referred to as a CIRT) to investigate certain cases within 24 hours of determining that a child may have died from abuse or neglect. A CIRT’s primary goal is to review the case and develop recommendations to improve the child welfare system and prevent future incidents. A CIRT is assigned if the fatality occurred when the child was in DHS custody, or when the child was subject to a recent child protective services assessment. According to DHS, 14 CIRTs were assigned to incidents in 2018 and seven were assigned in 2017.

Senate Bill 832 declares the purpose of CIRTs and directs DHS to assign a CIRT upon awareness of a critical incident as defined in the measure. The measure also modifies the composition of CIRTs to allow the inclusion of a local citizen review board member as well as a legislator. Senate Bill 832 requires every CIRT to submit a final written report to DHS and requires reports to contain specified information. The measure directs DHS to publish

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certain information regarding the CIRT as well as its report, to DHS' website. Finally, Senate Bill 832 allows DHS to redact the final report only to the extent necessary to comply with state and federal laws governing confidential information.

PRELIMINARY