

SB 832 A STAFF MEASURE SUMMARY

Senate Committee On Human Services

Action Date: 04/09/19

Action: Do pass with amendments. Refer to Ways and Means by prior reference. (Printed A-Eng).

Vote: 5-0-0-0

Yeas: 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 3/26, 4/9

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 custody of the Department of Human Services (DHS) if DHS reasonably believes death resulted from child abuse, or when any child in the household came to DHS' attention in the prior 12 months. Directs DHS to assign CIRT within 10 days of becoming aware of a critical incident or within seven days after initiating an investigation into the nature and cause of a fatality caused by child abuse. Modifies CIRT membership to include local citizen review board member and a legislator, as specified. Requires every CIRT submit final written report to DHS with specified information no later than 100th day of assignment, unless DHS extends deadline. Directs DHS publish specified information regarding each CIRT to website within 10 days of receipt of report. Prohibits DHS from redacting more than is required to be kept confidential from final report prior to publication. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Applicability of multidisciplinary teams

EFFECT OF AMENDMENT:

Defines “critical incident” as resulting in the unexpected death of a child in DHS's custody that DHS reasonably believes resulted from child abuse, or when any child in the household came to DHS's attention in prior 12 months. Directs DHS to assign CIRT within 10 days after becoming aware of critical incident or within seven days after DHS causes investigation into the nature and cause of the fatality if fatality results from child abuse. Requires every CIRT submit final written report to DHS with specified information no later than 100th day 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.

BACKGROUND:

Oregon law requires the Department of Human Services (DHS) to assign a Critical Incident Review Team (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 A declares the purpose of CIRTs and directs DHS to assign a CIRT upon becoming aware of a critical incident as defined in the measure. The measure modifies the composition of CIRTs to allow a local citizen review board member as well as a legislator to be included. Senate Bill 832 A also requires every CIRT to submit a final written report to DHS and requires reports to contain specified information. The measure directs DHS to publish certain information regarding the CIRT as well as its report, on its website. Finally, Senate Bill 832 A allows DHS to

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redact the final report only to the extent necessary to comply with state and federal laws governing confidential information.