

HOUSE AMENDMENTS TO HOUSE BILL 3208

By COMMITTEE ON HUMAN SERVICES AND HOUSING

April 15

1 On page 2 of the printed bill, after line 33, insert:

2 **“SECTION 3. (1) The Department of Human Services shall study provisions of state law**
3 **relating to investigations of abuse of a child in care, as defined in ORS 418.257, and make**
4 **recommendations, in both narrative form and in the form of requested draft statutory lan-**
5 **guage, for the enactment of statutes or for the amendment or repeal of statutes or session**
6 **laws as necessary to allow the department to adopt, by rule, a child in care abuse investi-**
7 **gation framework that is consistent with national models for child safety investigations.**

8 **“(2) The recommendations under subsection (1) of this section must emphasize:**

9 **“(a) Utilization of a graduated process of review and accountability in lieu of findings that**
10 **reports of abuse are substantiated, unsubstantiated or inconclusive;**

11 **“(b) Implementation of a learning culture that is constantly improving and oriented to-**
12 **ward child safety, workforce skills development and retention of high quality employees;**

13 **“(c) Improvements in child safety by empowering employees to proactively monitor the**
14 **workplace and participate in safety efforts in the work environment; and**

15 **“(d) The establishment of rules and benchmarks so that both the organization providing**
16 **services to a child in care, as defined in ORS 418.257, and its people are held accountable**
17 **while focusing on risk, systems design, human behavior and child safety.**

18 **“(3) The recommendations under subsection (1) of this section may incorporate a**
19 **graduated system of enforcement, including escalating enforcement based on the following**
20 **criteria:**

21 **“(a) Abuse resulting from an inadvertent action based on human error;**

22 **“(b) Abuse resulting from a behavioral choice that caused risk with lack of intent;**

23 **“(c) Abuse resulting from a behavioral choice to consciously disregard policies and prac-**
24 **tices, creating a substantial and unjustifiable risk; and**

25 **“(d) Abuse resulting from egregious at-risk behavior or intentional choice to harm.**

26 **“(4) The department shall submit a report on its findings to an appropriate interim**
27 **committee of the Legislative Assembly no later than September 15, 2019.”.**

28 In line 34, delete “3” and insert “4”.

29 In line 40, delete “4” and insert “5” and delete “3” and insert “4”.

30 In line 42, delete “5” and insert “6”.

31 On page 3, line 4, delete “6” and insert “7”.

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