

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: SB 1605**80th Oregon Legislative Assembly – 2020 1st Special Session  
Legislative Fiscal Office***Only Impacts on Original or Engrossed  
Versions are Considered Official***

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**Measure Description:**

Modifies Oregon Promise program to extend eligibility to certain Oregon foster children who attain their highest level of education while in out-of-state placements. Makes changes to statutes relating to Department of Human Services placing children in out-of-state care facilities.

**Government Unit(s) Affected:**

Department of Human Services (DHS), Oregon Youth Authority, Department of Justice (DOJ), Oregon Health Authority (OHA), Department of Education (ODE), Higher Education Coordinating Commission (HECC), Community Colleges

**Summary of Fiscal Impact:**

Costs related to the measure will require budgetary action - See analysis.

**Summary of Expenditure Impact - Department of Human Services:**

	2019-21 Biennium	2021-23 Biennium
General Fund		
Personal Services	349	763
Services and Supplies	22,195	16,305
Special Payments	168,420	373,293
Total General Fund	\$190,964	\$390,361
Other		
Personal Services	88,508	193,107
Services and Supplies	30,820	11,871
Other Funds	\$119,328	\$204,978
<b>TOTAL FUNDS</b>	<b>\$310,292</b>	<b>\$595,339</b>
Positions	1	1
FTE	0.46	1.00

**Analysis:**

SB 1605:

- Extends eligibility for the Oregon Promise program, grants to attend community college, to certain Oregon foster children who attain their highest level of education while in out-of-state placements.
- Permits the Department of Human Services (DHS) to temporarily close, at screening, reports of third-party child abuse in specified circumstances and directs DHS to submit a report to the Legislature regarding child abuse reports closed at screening no later than November 15, 2020. This provision sunsets March 31, 2021.
- Directs DHS to adopt rules allowing up to two family-based programs to provide services to certain children, and to submit a report to the Legislature regarding such programs no later than September 1, 2022. This provision sunsets January 2, 2024.

- Prohibits DHS from placing Oregon children in out-of-state child-caring agencies unless the child-caring agency is licensed by DHS, complies with Oregon requirements, if DHS has a contract with the child-caring agency, and if such contract meets specified requirements.
- Directs DHS to review out-of-state child-caring agency placements of children or youths who have or may have an intellectual or developmental disability and specifies criteria for such process.
- Requires DHS to accompany children and youth when placed in or moved to an out-of-state child-caring agency.
- Restricts the Oregon Youth Authority's and Department of Human Services' ability to place youth out-of-state where such placement would result in a mixed population of children and juvenile offenders.
- Requires DHS to notify the placement authorities of any other state retaining jurisdiction of children in specified settings in Oregon upon awareness of a report of suspected child abuse, and to commence an investigation of a report of suspected abuse if the reported abuse occurred in Oregon or in an out-of-state child-caring agency with Oregon children.
- Authorizes DHS to place child in a child care institution or other residential congregate care setting only if it is a child-caring agency and qualified residential treatment program (QRTP), except as specified. Clarifies accreditation requirements for QRTPs; and also delays operative date of statutes regarding QRTPs from July 1, 2020 to December 1, 2020.
- Establishes criteria for court determinations of placement of children in specified out-of-state child-caring agencies, namely, ones that also serve juvenile offenders.

#### Department of Human Services (DHS)

DHS estimates the fiscal impact of complying with the requirements of the bill to be \$310,292 Total Funds [\$190,964 General Fund, \$119,328 Other Funds] and 1 position (0.46 FTE) for the 2019-21 biennium; and \$595,339 Total Funds [\$390,361 General Fund, \$204,978 Other Funds] and 1 position (1.00 FTE) for the 2021-23 biennium. Personal Services reflect the cost of one permanent full-time Compliance Specialist 3 position in the Office of Training, Investigations and Safety (OTIS) to perform out-of-state licensing. Services and Supplies include travel expenses for a DHS Child Welfare employee to accompany a child who is placed out of state any time the child is transported to an initial or new placement. Special Payments reflect payment changes due to level of care requirements in certain service settings. These costs are allocated as General Fund and mirrored as Other Funds because OTIS is a shared services office for both the Department of Human Services and the Oregon Health Authority.

#### Oregon Youth Authority (OYA)

Passage of this bill is anticipated to have no fiscal impact to OYA. The bill prohibits OYA and DHS from placing youth out-of-state where such placement would result in a mixed population of children and juvenile offenders. The agency has no youth placed out-of-state in locations where DHS youth are also present.

#### Oregon Health Authority (OHA), Department of Justice (DOJ), Department of Education (ODE)

Passage of this bill is anticipated to have minimal impact on OHA, DOJ, and ODE.

#### Higher Education Coordinating Commission (HECC), Community Colleges

The impact on HECC and community colleges is indeterminant but anticipated to be minimal. Although the number of foster children or youth who would participate in the Oregon Promise program as a result of this bill cannot be predicted at this time, HECC anticipates only a small number of students who will be eligible as a result of this bill.

The 2019-21 funding associated with this measure will be addressed in a special session omnibus budget measure.