

SENATE AMENDMENTS TO SENATE BILL 265

By COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH AND RECOVERY

April 16

1 In line 2 of the printed bill, delete the period and insert “; and declaring an emergency.

2 “Whereas many youth in congregate care settings have unique needs related to trauma that
3 require specialized interventions and supports; and

4 “Whereas staff in congregate care settings strive to provide high quality, supportive services to
5 youth and need appropriate training to provide trauma-informed programming and supports; and

6 “Whereas increased understanding of the principles of trauma-informed care and positive be-
7 havior support has led those in youth caring programs to seek to reduce or eliminate the use of
8 physical restraints and seclusion; and

9 “Whereas inappropriate use of physical restraint and seclusion can lead to injury and additional
10 trauma for youth and staff; and

11 “Whereas inappropriate use of physical restraint has led to the tragic death of children in care;
12 and

13 “Whereas the COVID-19 pandemic reduced the ability of staff to attend regularly scheduled
14 trainings related to nonviolent crisis intervention and appropriate use of physical restraint; and

15 “Whereas the COVID-19 pandemic increased stress and pressures within programs, exacerbating
16 the need for training related to best practices for nonviolent crisis intervention to support children
17 and youth living in congregate care residential settings; and

18 “Whereas staff turnover in youth residential programs has historically been high and is attri-
19 buted in part to the need for high quality training and enhanced professional opportunities for staff;
20 and

21 “Whereas the COVID-19 pandemic increased staff turnover and increased the number of new
22 staff that programs must rapidly train to safely meet the needs of children and youth; and

23 “Whereas high staff turnover and lack of appropriate training creates serious risks for children,
24 youth and staff in residential programs; and

25 “Whereas consistency in rapid, high quality training across programs will lead to improved
26 outcomes for youth and greater confidence in the workplace for staff; and

27 “Whereas the Crisis Prevention Institute is a nationally recognized program, grounded in
28 evidence-based de-escalation practices and nonviolent intervention; and

29 “Whereas the Crisis Prevention Institute is familiar to the majority of Oregon’s children’s resi-
30 dential programs, with many programs already using this training program for some staff; and

31 “Whereas the Crisis Prevention Institute has the capacity to rapidly provide high quality
32 training and certification to staff across Oregon’s child caring agencies and children’s residential
33 developmental disability programs; and

34 “Whereas the Crisis Prevention Institute has the capacity to track the ongoing certification
status of Oregon staff and provide ongoing support to certified trainers and staff; and

1 “Whereas Oregon’s child caring agencies and children’s residential developmental disability
2 programs need assistance to fully train and certify their staff to meet the needs of today’s youth,
3 particularly following the increased challenges posed by the COVID-19 pandemic; and

4 “Whereas the need for rapid training of staff in children’s residential programs is urgent and
5 can only be met with a one-time financial partnership from the state to jump-start a broad training
6 initiative; now, therefore,”.

7 Delete lines 4 through 12 and insert:

8 “**SECTION 1.** (1) **The Department of Human Services shall ensure that staff working in**
9 **residential programs that serve children placed there by public entities, including but not**
10 **limited to the department, the Oregon Youth Authority and the Oregon Health Authority,**
11 **receive training and certification in nonviolent crisis intervention. The training shall be**
12 **provided at all three certification levels, including levels that do not train for the application**
13 **of physical restraints.**

14 “(2) **The department shall provide to staff participating in the crisis intervention training:**

15 “(a) **A stipend to compensate for time spent in training; and**

16 “(b) **Reimbursement for travel costs to attend the training.**

17 “(3) **The department shall ensure that at least 20 instructors in nonviolent crisis inter-**
18 **vention are trained and certified by July 1, 2022. Staff that receive training and certification**
19 **under this subsection must commit to providing at least three trainings per year for two**
20 **years in residential programs described in subsection (1) of this section.**

21 “(4) **The department shall provide funding to a residential program to train the program’s**
22 **staff in nonviolent crisis intervention, in an amount sufficient to train two staff persons for**
23 **every staff person for which the program pays for the training.**

24 “(5) **A program that receives funding under subsection (4) of this section shall report to**
25 **the department the program’s plan for maintaining the certification of current and future**
26 **staff after completion of the training under subsection (1) of this section, including training**
27 **for staff who do not engage in the use of physical restraints.**

28 “(6) **The trainings described in this section shall begin as soon as practicable.**

29 “(7)(a) **The department shall report to the Legislative Assembly, in the manner provided**
30 **in ORS 192.245:**

31 “(A) **The names and locations of programs participating in the training;**

32 “(B) **The number of staff certified, including staff certified as trainers; and**

33 “(C) **Any barriers to the implementation of the trainings.**

34 “(b) **The department shall provide reports described in paragraph (a) of this subsection**
35 **no later than:**

36 “(A) **October 1, 2021.**

37 “(B) **January 1, 2022.**

38 “(C) **April 1, 2022.**

39 “(D) **July 1, 2022.**

40 “**SECTION 2.** (1) **In addition to and not in lieu of any other appropriation, there is ap-**
41 **propriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the**
42 **General Fund, the amount of \$750,000, to be allocated to the Department of Human Services**
43 **for carrying out section 1 of this 2021 Act.**

44 “(2) **If any of the moneys appropriated by subsection (1) of this section are not allocated**
45 **by the Emergency Board prior to December 1, 2022, the moneys remaining on that date be-**

1 come available for any purpose for which the Emergency Board lawfully may allocate funds.

2 “(3) The department shall adopt rules for the distribution of the moneys appropriated
3 under this section to ensure that the moneys are distributed in accordance with section 1
4 of this 2021 Act.

5 “SECTION 3. Section 1 of this 2021 Act is repealed on June 30, 2023.

6 “SECTION 4. This 2021 Act being necessary for the immediate preservation of the public
7 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
8 on its passage.”

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