

HB2424

ENSURING SAFETY AND POSITIVE OUTCOMES FOR CHILDREN AND YOUTH. EXPANDING CULTURAL DIVERSITY



What Does HB2424 Do?

Section 1: Increasing Child and Youth Safety Through Improved

Training: The Department of Human Services (DHS), in coordination with the Oregon Youth Authority (OYA) and the Oregon Health Authority (OHA) shall allocate \$1.25 million per biennium for training funds to improve child/youth safety, treatment outcomes, regulatory compliance, and improve the retention and recruitment of a well-trained, highly qualified provider workforce.

Trainings will be trauma-informed and focus on child/youth safety, resiliency, best and promising practices, state approved Family First Prevention Services Act (FFPSA) treatment modalities, regulatory compliance.

The fund shall be administered by a statewide organization representing the majority of non-profit child caring agencies but shall be open to all licensed providers. The funding would be available to all organizations providing mental and behavioral health supports to children in the DHS/OYA/OHA system. Individual agencies would be eligible for up to \$30,000 in direct funding for compliance with the Family First Act, and/or other quality improvement initiatives. A portion of these funds will also go towards targeted state-wide trainings provided by the statewide organization administering these funds.

The program shall be coordinated with the development of a 5-year plan by DHS, OYA, OHA and other stakeholders to support a sustainable workforce and achieve shared outcomes.

Biannual reports shall be provided to the state on the expenditure and outcomes of this training system. The goal is to improve child safety and increase successful outcomes in a measurable way through the provision of state-wide provider trainings.

Section 2: Improving Child, Youth, and Family Outcomes through

Racial Equity in the Workforce: BIPOC youth and families are overrepresented in the child welfare and juvenile justice system. To improve outcomes for these youth and their families, they

should have the opportunity to receive services that are provided and informed by BIPOC staff. \$2.5 million shall be provided per biennium for a non-profit run program to focus on the recruitment and retention of BIPOC staff at all levels.

Section 3: Student Loan Forgiveness: Provide \$250,000 per biennium for the Oregon Health Care Provider Incentive Loan Repayment program targeting individuals who are Qualified Mental Health Associates and / or Social Service Designated and agree to work for a DHS/OYA/OHA licensed child caring agency for a period of not less than 2 years.

Section 4: Qualified Mental Health Associates/Professional Apprenticeship Program: Direct the Bureau of Labor and Industry and the Oregon Health Authority to work with non-profits and regional workforce boards to establish a QMHA/P Apprenticeship program and seek federal and state funding for the program. \$250,000 is provided for startup costs, and for the first 25 apprentices.

Section 5: Workforce Accountability/Just Culture for Workforce Retention and Quality Improvement: Staff turnover at provider agencies is often between 40% and 60% annually, according to a 2020 survey. This increases costs and reduces the opportunity for successful outcomes. Low wages and insufficient training play a role, but so does a regulatory system that leaves accused staff facing either “neglect” or “abuse” charges even for simple mistakes which caused no harm, and could be corrected with better training. The fear of these types of regulatory reprisals dissuades staff from considering job offers, causes others to leave during “investigations” (even when the investigation might eventually find the accusations or reports unsubstantiated), and has helped to create a perception that qualified mental health professionals should not risk their careers by entering the Oregon child welfare workforce.

Oregon is the only state that has adopted such a limited system of corrective action. Dozens of other states, as well as professions like medical workers and nurses in hospitals and elsewhere use alternative forms of corrective action, which help improve worker performance, retain highly qualified staff, and improve safety for

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Improving Service Delivery Boosts Outcomes and the Lives of Oregon's Vulnerable Children, Youth and Families

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patients/clients. A budget note authored by Ways and Means Co-Chair Nancy Nathanson in the 2019 Legislatively Approved budget required the agencies to review potential adjustments to Oregon's regulatory system and recommend ways to improve workforce training/retention and child safety. The agencies recommended the following change to add a third disciplinary option for investigators, ensuring that small mistakes which cause no harm to children can be addressed through constructive engagement and improved training: helping to improve staff retention, and thus, improving quality and child safety and outcomes.

ORS shall be amended with the following language: Substandard Care - An act defined as abuse or neglect except when there exists no harm or minimal harm to the victim and there exists a reasonable cause to believe the respondent's actions were an inadvertent action or a behavioral choice causing risk of harm or minimal harm with lack of intent to harm. A finding of abuse would still be appropriate when there exists significant harm or there is a reasonable cause to believe the behavioral choice is a conscious disregard for known policies and practices thereby creating harm or a substantial and unjustifiable risk of harm.

The report noted that: "All parties agreed that depending on the severity of an incident, some may be appropriate to view as mistakes and learning opportunities rather than being labeled as abuse; however, this is not an option under current statute."

The finding of "Substandard Care" would be accompanied by a clear directive for training and corrective action.

HB2424:

- ◇ **\$1.25M per biennium in training funds to improve child/youth safety, treatment outcomes, regulatory compliance, and improve the retention and recruitment of a well-trained, highly qualified provider workforce.**
- ◇ **\$2.5M per biennium to support the recruitment and retention of staff of color.**
- ◇ **\$250K per biennium for student loan forgiveness focusing on QMHA's or social service designated staff.**
- ◇ **\$250K per biennium to begin an apprentice program for QMHAs/Ps, initial start-up costs for 25 apprentices.**
- ◇ **Just Culture allows for alternative finding when staff actions were inadvertent and with lack of intent to harm.**

The Oregon Alliance was founded in 1917 to support the lives of Oregon's Children.

Alliance member organizations provide services and supports to over 100,000 children, youth and young adults across Oregon annually.

The Oregon Alliance is a diverse group of organizations serving Oregon's children, youth and their families at home and school, in residential settings, and within the community.

We join with dedicated community leaders, our partners in government, allied fields, and those we serve to deliver effective policies, best practices, and resources. We work to help children and youth live better lives and for families and communities to thrive in every corner of Oregon.



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