



Title: SB 89, ODDS: Child in Care

Summary:

- This bill clarifies that developmental disabilities residential facilities refers to a residential facility or foster home for children who are 17 years of age or younger and receiving developmental disabilities services.

Background:

- During the 2017 session, Senate Bill 243 expanded the definition of “Child in Care” to include children residing in a certified foster home or developmental disabilities residential facility. The intention was to expand the protections around abuse for children who were not previously covered by the broader definitions of abuse.
- In SB243 “developmental disabilities residential facility” was defined as a residential facility or foster home for children who are 18 years of age or younger and receiving developmental disabilities services. The term “18 years of age or younger” generated confusion in the field as it creates overlap in statutes concerning abuse and abuse investigation, as a) individuals who are 18 years of age are already included under the definition of individuals covered under the adult abuse statutes, and b) programs in the I/DD system are generally licensed or certified for individuals 17 years of age or younger, and adult programs are licensed for individuals who are 18 years and older.

Impact if not passed:

- If this bill is not passed, there will continue to be overlap in statutes concerning abuse and abuse investigation, continuing confusion in the field.

Fiscal impact:

- This bill will have no fiscal impact.

For more information please contact:

Brooke Hall

Senior Legislative Policy Analyst

ODHS Aging and People with Disabilities and Office of Developmental
Disabilities Services

Work: 503-983-0445

Email: brooke.m.hall@dhsosha.state.or.us