

SB 715 STAFF MEASURE SUMMARY

Senate Committee On Human Services

Prepared By: Iva Sokolovska, LPRO Analyst

Meeting Dates: 3/6

WHAT THE MEASURE DOES:

Prohibits the Department of Human Services (DHS) from disclosing records and reports related to child abuse investigations to certain entities (court appointed special advocate, the Office of Child Care, and the Teacher Standards and Practices Commission) in specific circumstances unless a court finds a report of abuse as founded. Requires DHS to record any questioning of a parent or child during child abuse investigations, and make the recording available to the parent, child, or attorneys for the parent or child. Requires law enforcement agencies to provide a copies of any report of suspected child abuse to the person making the report and the alleged victim of abuse within five business days. Requires entities which conduct interviews with a person suspected of child abuse or with a suspected victim of child abuse to record the interview and provide copies of the final interview report within seven days.

Requires DHS to obtain permission from a child’s custodial parent or legal guardian before giving the child: medication other than birth control; a haircut; or a vaccination. If the child is under 14 years of age, DHS must obtain permission to authorizing a termination of pregnancy, or the provision of or providing birth control services to the child.

Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Department of Human Services (DHS) is required to make otherwise confidential records and reports related to child abuse investigations available, under specific circumstances, to: law enforcement agencies, child abuse registries in any other state, medical professionals, attorneys for the child, citizen review boards, court- appointed special advocates, the Office of Child Care, the Office of Children’s Advocate, the Teacher Standards and Practices Commission, Disability Rights Oregon, and the Department of Education (ORS 419B.035). When a child is in DHS custody, if no parent or legal guardian can provide consent to care and the child needs emergency medical care, a judge of the juvenile court may authorize the care. If the child is 15 years or older, consent to medical, vision, and dental care or treatment by licensed medical professionals (ORS 419B.110 and ORS 109.640).

Senate Bill 715 prohibits DHS from disclosing records and reports related to child abuse investigations to court- appointed special advocate, the Office of Child Care, and the Teacher Standards and Practices Commission unless a court finds a report of abuse as founded. Senate Bill 715 requires DHS obtain permission from a child’s custodial parent or legal guardian before giving the child: medication other than birth control, a haircut, or a vaccination; and if the child is under 14 years of age, DHS would have to obtain permission to authorizing a termination of pregnancy, or the provision of or providing birth control services to the child.