

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 790 - 11**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

Prepared by: MaryMichelle Sosne

Reviewed by: Gregory Jolivette, John Terpening, Julie Neburka

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Measure Description:

Modifies definition of "abuse" for purposes of child abuse to include violations of existing laws prohibiting infliction of corporal punishment on students and use of restraint and seclusion on students.

Government Unit(s) Affected:

Oregon Youth Authority, Department of Education, School Districts, Department of Human Services

Summary of Fiscal Impact:

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

Summary of Expenditure Impact:

	2023-25 Biennium	2025-27 Biennium
Department of Human Services		
General Fund		
Total General Fund	\$205,644	\$271,752
Other Funds*		
Total Other Funds	\$341,894	\$455,364
Federal Funds		
Total Federal Funds	\$146,321	\$193,351
Total Fiscal Impact	\$693,859	\$920,467
<i>Total Positions</i>	2	2
<i>Total FTE</i>	1.50	2.00

Represents General Fund and Federal fund expended as Other Funds*Analysis:**

SB 790-11 defines situations in which the Department of Human Services (DHS) will substantiate a child abuse allegation occurring in a public education program. DHS is required to report quarterly to the Legislative Assembly on child abuse investigations that found a public education program was at fault. The measure prohibits DHS from substantiating an allegation of abuse against public education personnel if they have not been trained in certain circumstances. The measure applies to incidents occurring on or after July 1, 2023. Updates to definitions in the statutes relating to reporting and investigation of child abuse are effective July 1, 2028. The measure declares an emergency and is effective on passage.

Department of Human Services

The Office of Training, Investigations, and Safety (OTIS) conducts screenings and investigations of complaints of physical abuse, sexual abuse, and neglect in schools and childcare settings. In calendar year 2022, OTIS received 1,457 allegations for abuse or neglect in schools, resulting in 187 investigations. Additionally, 32 school districts reported 3,908 instances of seclusion and restraint. To complete the anticipated increase in workload, DHS anticipates hiring two permanent full-time Investigator 3 positions (0.75 FTE each) for the 2023-25 biennium at a cost of \$318,528 Other Funds for personal services and \$20,752 Other Funds for position-related services and supplies. In the 2025-27 biennium, these positions increase to 1.00 FTE each and personal services costs are estimated at \$424,709 Other Funds and \$27,200 Other Funds for position-related services and supplies.

The table above includes the amount of General Fund and Federal Funds that DHS needs to cover the direct charge for OTIS for the two positions.

Note this measure is similar to SB 769-1 currently assigned to the Senate Committee on Health Care. If both bills pass, any fiscal impact will be negated. SB 769-1 will decrease the number of screening and investigations required by the Office of Training, Investigations, and Safety (OTIS), thereby offsetting any additional screening and investigating arising from violations of restraint and seclusion in public education programs.

The measure has a minimal fiscal impact on the Oregon Department of Education and has no fiscal impact to the Oregon Youth Authority.

This measure requires budgetary action for the allocation of General Fund resources and position establishment.