

# House Bill 2479

Sponsored by Representative WALLAN, Senator GELSER BLOUIN; Representative LEWIS (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Grants certain immunities to children's advocacy centers and to employees and designated agents of children's advocacy centers.

Requires applicants for funds to establish and maintain children's advocacy center to include evidence of center's accreditation with nationally recognized organization.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to children's advocacy centers; creating new provisions; amending ORS 418.792; and de-  
3 claring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 418.746 to**  
6 **418.796.**

7 **SECTION 2. (1) An employee or designated agent of a children's advocacy center who is**  
8 **participating in good faith in a child abuse assessment and who has reasonable grounds for**  
9 **doing so shall have immunity:**

10 (a) **From any civil liability that might otherwise be incurred or imposed with respect to**  
11 **participating in such assessment; and**

12 (b) **With respect to participating in any judicial proceeding resulting from such assess-**  
13 **ment.**

14 (2) **A children's advocacy center shall have the same immunity from any civil liability**  
15 **that might otherwise be incurred with respect to its employees' or designated agents' par-**  
16 **ticipation in a child abuse assessment as described in subsection (1) of this section.**

17 (3) **Nothing in this section may be construed to limit or otherwise affect the liability of**  
18 **any person for damages resulting from the person's gross negligence or from the person's**  
19 **reckless, wanton or intentional misconduct.**

20 **SECTION 3. ORS 418.792 is amended to read:**

21 418.792. Each application for funds to establish and maintain a children's advocacy center shall  
22 include:

23 (1) Evidence indicating that the applicant has at least one medical practitioner trained in the  
24 evaluation, diagnosis and treatment of child abuse and neglect.

25 (2) A commitment by the medical practitioner:

26 (a) To attend annual continuing education courses regarding evaluation and diagnosis of child  
27 abuse and neglect; and

28 (b) To refer complex cases, as defined by the Advisory Council on Child Abuse Assessment by  
29 rule, to a regional children's advocacy center.

30 (3) Evidence indicating the proposed children's advocacy center has access to special equipment

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 used in the evaluation of child abuse.

2 (4) A description of where the children’s advocacy center is to be located, including but not  
3 limited to a hospital, medical clinic or other appropriate public or private agency. However, the  
4 proposed center may not be located in an office of the Department of Human Services or in the of-  
5 fice of any law enforcement agency.

6 (5) The level of support available to the proposed children’s advocacy center through in-kind  
7 contributions from the community.

8 (6) A description of procedures to be followed by the proposed children’s advocacy center, in-  
9 cluding the availability of personnel from the children’s advocacy center to testify in cases involving  
10 alleged abuse of children evaluated by the center.

11 **(7) Evidence that the applicant is a member in good standing of, or is actively working**  
12 **towards accreditation by, a national organization that provides accreditation based on na-**  
13 **tionally recognized standards and on evidence-based measures.**

14 **SECTION 4. (1) Section 2 of this 2023 Act applies to acts occurring before, on or after the**  
15 **effective date of this 2023 Act.**

16 **(2) The amendments to ORS 418.792 by section 3 of this 2023 Act apply to applications for**  
17 **funds to establish and maintain children’s advocacy centers submitted on or after the effec-**  
18 **tive date of this 2023 Act.**

19 **SECTION 5. This 2023 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
21 **on its passage.**

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