

HOUSE AMENDMENTS TO HOUSE BILL 2664

By COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES

March 17

1 On page 1 of the printed bill, delete line 29.

2 On page 2, delete lines 1 through 3.

3 Delete lines 36 through 45 and delete pages 3 and 4.

4 On page 5, delete lines 1 through 9 and insert:

5 **“SECTION 2. Child welfare services for individuals who are deaf or hard of hearing. (1)**

6 **The Department of Human Services shall:**

7 **“(a) Determine the preferred communication mode, style or language of each individual**
8 **receiving child welfare services in this state who is deaf or hard of hearing by conducting**
9 **an appropriate language assessment, administered by providers who are proficient in the**
10 **communication mode, style or language being assessed.**

11 **“(b) Ensure the provision of culturally and linguistically affirmative child welfare services**
12 **to individuals who are deaf or hard of hearing.**

13 **“(c) Enter into contracts for the provision of services under paragraph (b) of this sub-**
14 **section that, at a minimum, provide for a continuum of culturally and linguistically affir-**
15 **mative services to individuals who are deaf or hard of hearing through licensed professionals**
16 **who are fluent in each individual’s preferred communication mode, style or language and**
17 **cultural needs.**

18 **“(d) Maintain contracts to ensure the provision of accessible child welfare services to**
19 **individuals who are deaf or hard of hearing, including qualified interpreters certified or oth-**
20 **erwise able to render effective communication in the child welfare setting, certified deaf in-**
21 **terpreters, foreign sign language interpreters, occupational therapists who are familiar with**
22 **the unique needs of individuals who are deaf or hard of hearing, prevention specialists and**
23 **chemical dependency counselors.**

24 **“(e) Establish and maintain a database for tracking and collecting data on individuals**
25 **who are deaf or hard of hearing who receive child welfare services.**

26 **“(f) Monitor all child welfare service programs to ensure that individuals who are deaf**
27 **or hard of hearing are adequately counted, tracked and serviced, including children in need**
28 **of various services in school, private therapy or hospitals, parents needing services to qualify**
29 **for restoration of child custody, adults needing the full continuum of services, chemical de-**
30 **pendency services for children and family members, prevention and psychoeducational pro-**
31 **grams for children and family members.**

32 **“(g) To the extent that funds are available for such purposes, ensure adequate funding**
33 **for the provision of appropriate child welfare services to individuals who are deaf or hard of**
34 **hearing.**

35 **“(2) The department shall develop and implement strategies and plans to ensure that in-**

1 individuals who are deaf or hard of hearing have sufficient access to child welfare services
2 through remote technologies, including videophones or telemedicine.

3 “(3) The department may not deny an individual who is deaf or hard of hearing access
4 to appropriate child welfare services solely based on the individual’s residual hearing ability,
5 whether assisted or not, or the individual’s prior experience with an alternative communi-
6 cation mode, style or language.

7 “(4) Nothing in this section precludes the provision of child welfare services in more than
8 one communication mode, style or language for a particular individual.

9 “(5) The department shall by rule establish procedures to ensure that individuals receiv-
10 ing child welfare services who are deaf or hard of hearing are provided culturally and lin-
11 guistically appropriate access to services, including:

12 “(a) Establishing guidelines for determining when a service provider is qualified to pro-
13 vide services to a given individual who is deaf or hard of hearing, including how to measure
14 the service provider’s fluency in the individual’s preferred communication mode, style or
15 language;

16 “(b) Ensuring that when qualified service providers are not available, the individual is
17 assigned a qualified interpreter who meets the department’s standards for child welfare
18 service interpreters;

19 “(c) Establishing guidelines for the use of remote interpreter services when in-person
20 interpreter services are unavailable;

21 “(d) Establishing a procedure, and documentation, for when an individual who is deaf or
22 hard of hearing declines interpreter services; and

23 “(e) Prohibiting the use of a family member of an individual who is deaf or hard of
24 hearing as the individual’s interpreter.

25 “(6) The department shall ensure that any diagnostic testing of individuals who are deaf
26 or hard of hearing and receiving child welfare services is conducted by professionals who are
27 qualified to provide services to individuals who are deaf or hard of hearing or who are as-
28 sisted by a qualified interpreter.

29 “(7) The department, in consultation with the Oregon Deaf and Hard-of-Hearing Services
30 Program described in ORS 410.740, shall adopt rules for the implementation of this section.

31 **“SECTION 3. The Department of Human Services shall:**

32 “(1) Provide centralized coordination of resources, information, referral, training and
33 advocacy relating to child welfare services provided to individuals who are deaf or hard of
34 hearing;

35 “(2) Ensure the provision of appropriate consultation, training and technical assistance
36 to child welfare service providers in various settings, including home visits, investigations,
37 judicial proceedings, foster care placement, respite services, educational placement and any
38 other providers of services to individuals receiving child welfare services who are deaf or
39 hard of hearing;

40 “(3) Serve as a liaison between the department and other public bodies, as defined in ORS
41 174.109, for the collaboration necessary to maximize the use of state resources and joint
42 planning in the provision of child welfare services to individuals who are deaf or hard of
43 hearing;

44 “(4) Develop, coordinate, train and oversee the statewide delivery of child welfare ser-
45 vices for individuals who are deaf or hard of hearing;

1 **“(5) Establish statewide foster care standards of care for individuals receiving child wel-**
2 **fare services who are deaf or hard of hearing;**

3 **“(6) Establish and administer a program to provide grants to public and private providers**
4 **of services to individuals receiving child welfare services who are deaf or hard of hearing to**
5 **achieve optimum service delivery within the child welfare system; and**

6 **“(7) Collect and evaluate clinical and programmatic outcomes data from each provider**
7 **of services to individuals receiving child welfare services who are deaf or hard of hearing.”.**

8 On page 6, delete lines 18 through 21 and insert:

9 “(11) To have the foster child’s privacy protected, including the right to appropriate digital
10 communications using a telephone or electronic device and necessary language services, unless
11 otherwise ordered by the court or determined by the Department of Human Services.”.

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