

House Bill 3256

Sponsored by Representative REYNOLDS (at the request of Department of Human Services)

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**.

Prohibits child who is receiving developmental disability services in developmental disability child foster home from being attended by parent or guardian without approval of Department of Human Services.

Permits child who attains 18 years of age while receiving developmental disability services in developmental disability child foster home to continue to reside in home until child attains 26 years of age if approved by department.

A BILL FOR AN ACT

1
2 Relating to developmental disability child foster homes; creating new provisions; and amending ORS
3 443.830.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Child" means a person:**

7 (A) **For whom developmental disability services are planned and provided;**

8 (B) **Who resides in a developmental disability child foster home; and**

9 (C) **Whose needs, as determined by the child's individual support plan team, are best met**
10 **if services are provided in a developmental disability child foster home.**

11 (b) **"Developmental disability child foster home" has the meaning given that term in ORS**
12 **443.830.**

13 (c) **"Developmental disability services" has the meaning given that term in ORS 427.101.**

14 (d) **"Individual support plan team" has the meaning given that term in ORS 443.830.**

15 (2) **A child residing in a developmental disability child foster home may not be attended**
16 **by the child's parent or guardian without the approval of the Department of Human Services.**

17 (3) **A child residing in a developmental disability child foster home who attains 18 years**
18 **of age and is under 26 years of age may continue to reside in the developmental disability**
19 **child foster home in which the child resides, if approved by the department.**

20 (4) **The department shall adopt by rule standards for granting approvals under sub-**
21 **sections (2) and (3) of this section.**

22 **SECTION 2. ORS 443.830 is amended to read:**

23 443.830. As used in this section and ORS 443.835:

24 (1) **"Child" means a person for whom developmental disability services are planned and provided**
25 **and who is:**

26 (a) **Under 18 years of age; or**

27 (b) **At least 18 years of age but less than 22 years of age and resides in a developmental disa-**
28 **bility child foster home and whose needs, as determined by the **child's** individual support plan team,**
29 **are best met if services are provided in a developmental disability child foster home.**

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 (2) "Department" means the Department of Human Services.

2 (3)(a) "Developmental disability child foster home" means any home maintained by a person who
3 has under the care of the person, in the home, a child found eligible for developmental disability
4 services for the purpose of providing the child with supervision, food and lodging. The child must
5 be unrelated to the person by blood, [or] marriage **or adoption** [*and be unattended by the child's*
6 *parent or guardian*].

7 (b) "Developmental disability child foster home" does not include:

8 (A) A boarding school that is essentially and primarily engaged in educational work;

9 (B) A home in which a child is provided with room and board by a school district board; or

10 (C) A foster home under the direct supervision of a child-caring agency as that term is defined
11 in ORS 418.205.

12 (4) **"Developmental disability services" has the meaning given that term in ORS 427.101.**

13 [(4)] (5) "Individual support plan team" means a team composed of the child, the child's parent
14 or guardian, the community mental health program representative and representatives of all current
15 service providers that develops a written plan of services covering a 12-month period for a child.

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