

A-Engrossed
House Bill 3333

Ordered by the House May 17
Including House Amendments dated May 17

Sponsored by Representative NOSSE

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.

[Permits Department of Human Services to require specified providers to submit corrective action plan in lieu of investigating report of suspected abuse of child in care in certain circumstances. Modifies description of when report of suspected abuse of child in care may be found unsubstantiated.]

Requires System of Care Advisory Council to study application of just culture model in investigative processes of child-caring agencies. Directs council to submit findings to interim committees of Legislative Assembly related to human services by September 15, 2024.

Directs System of Care Advisory Council to establish and administer grant program for purpose of providing just culture model training. Appropriates moneys for grant program.

Directs System of Care Advisory Council to establish and administer grant program for purpose of providing trauma-informed practices and clinical best practices training to workforce providing residential services to children in care. Appropriates moneys for grant program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to just culture model in the provision of services to children in care; and declaring an
3 emergency.

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

5 **SECTION 1. The System of Care Advisory Council shall study the application of a just**
6 **culture model in the investigative processes of child-caring agencies. The council shall sub-**
7 **mit reports of its findings in the manner provided by ORS 192.245, and may include recom-**
8 **mendations for legislation to implement any policy initiatives resulting from the study, to**
9 **the interim committees of the Legislative Assembly related to human services. The first**
10 **report is due no later than December 1, 2023, and the second report is due no later than**
11 **September 15, 2024.**

12 **SECTION 2. (1) As used in this section:**

13 (a) **"Children in care" means one or more child in care, as defined in ORS 418.257.**

14 (b) **"Just culture model" means a culture where a person is not punished for actions,**
15 **omissions, suggestions or decisions taken by the person that are commensurate with the**
16 **person's experience and training, but where gross negligence, willful violations and destruc-**
17 **tive acts are not tolerated.**

18 (2) **The System of Care Advisory Council shall establish and administer a grant program**
19 **for the purpose of providing just culture model training to Department of Human Services**
20 **employees who conduct investigations under ORS 418.257 to 418.259, staff working in a**
21 **child-caring agency, as defined in ORS 418.205, and behavioral health care providers who**
22 **work with children in care. Grants under this section may be used for initial training as**

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 well as ongoing training and supervision.

2 **SECTION 3.** (1) As used in this section, “children in care” means one or more child in
3 care, as defined in ORS 418.257.

4 (2) The System of Care Advisory Council shall establish and administer a grant program
5 for the purpose of providing grants for training regarding trauma-informed practices and
6 clinical best practices to the workforce providing residential services to children in care.

7 **SECTION 4.** (1) The System of Care Advisory Council Training Fund is established in the
8 State Treasury separate and distinct from the General Fund. The fund shall consist of all
9 moneys placed in the fund as provided by law.

10 (2) Moneys in the fund are continuously appropriated to the Oregon Health Authority to:

11 (a) Provide moneys for the grant programs described in sections 2 and 3 of this 2023 Act;
12 and

13 (b) Pay the costs of administering the grant programs described in sections 2 and 3 of
14 this 2023 Act.

15 (3) The authority may accept gifts, grants or contributions from any public or private
16 source for deposit into the fund.

17 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-
18 ated to the Oregon Health Authority, for the biennium beginning July 1, 2023, out of the
19 General Fund, the amount of \$____, for deposit in the System of Care Advisory Council
20 Training Fund established under section 4 of this 2023 Act, for the purpose of carrying out
21 the provisions of section 2 of this 2023 Act.

22 **SECTION 6.** In addition to and not in lieu of any other appropriation, there is appropri-
23 ated to the Oregon Health Authority, for the biennium beginning July 1, 2023, out of the
24 General Fund, the amount of \$____, for deposit in the System of Care Advisory Council
25 Training Fund established under section 4 of this 2023 Act, for the purpose of carrying out
26 the provisions of section 3 of this 2023 Act.

27 **SECTION 7.** Section 1 of this 2023 Act is repealed on January 2, 2025.

28 **SECTION 8.** This 2023 Act being necessary for the immediate preservation of the public
29 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
30 on its passage.

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