

Senate Bill 794

Sponsored by COMMITTEE ON 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**.

Exempts certain providers of adoption placement services from specified reporting requirements.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to adoption placement services; amending ORS 418.528; and declaring an emergency.

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

4 **SECTION 1.** ORS 418.528 is amended to read:

5 418.528. (1) A program must prepare and submit to the Department of Human Services a quar-
6 terly report detailing the program's use of restraint and involuntary seclusion for the preceding
7 three-month period, including, at a minimum:

8 (a) The total number of incidents involving restraint.

9 (b) The total number of incidents involving involuntary seclusion.

10 (c) The total number of involuntary seclusions in a locked room.

11 (d) The total number of rooms available for use by the program for involuntary seclusion and
12 a description of the dimensions and design of the rooms.

13 (e) The total number of children in care placed in restraint.

14 (f) The total number of children in care placed in involuntary seclusion.

15 (g) The total number of incidents under paragraph (a) or (b) of this subsection that resulted in
16 reportable injuries.

17 (h) The number of children in care who were placed in restraint or involuntary seclusion more
18 than three times during the preceding three-month period and a description of the steps the program
19 has taken to decrease the use of restraint and involuntary seclusion.

20 (i) The number of incidents in which an individual who placed a child in care in a restraint or
21 involuntary seclusion was not certified as described in ORS 418.529 or trained, as required by the
22 department by rule, in the use of the type of restraint or involuntary seclusion used.

23 (j) The demographic characteristics of the children in care who the program placed in a re-
24 straint or involuntary seclusion, including race, ethnicity, gender, disability status, migrant status,
25 English proficiency and status as economically disadvantaged, unless the demographic information
26 would reveal personally identifiable information about an individual child in care.

27 (2)(a) If a program provides services in more than one location, the reports under subsection (1)
28 of this section must separate the data for each location that serves five or more children in care.

29 (b) If the site-specific data for a given location is not provided under paragraph (a) of this sub-
30 section because the program serves fewer than five children in care at that location, the program's
31 report must include a notation indicating the aggregate number of children in care served by the

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 program across all of the program's locations and the reporting requirements under paragraph (a)
2 of this subsection continue to apply to any of the program's other locations serving five or more
3 children in care.

4 (3)(a) The department shall make each quarterly report it receives under this section available
5 to the public on the department's website.

6 (b) Each program that submits a report under this section shall make its quarterly report
7 available to the public upon request at the program's main office and on the program's website if
8 the program maintains a website.

9 (c) Each program shall provide notice regarding how to access the quarterly reports to the
10 parents or guardians of children in care in the program. The program shall provide the notice upon
11 the child in care's admission and at least two times each year thereafter.

12 **(4) The reporting requirements under subsection (1) of this section do not apply to a**
13 **program that provides adoption placement services but does not otherwise provide care or**
14 **services to children.**

15 **SECTION 2. This 2023 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
17 **on its passage.**

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