

HB 2664-3
(LC 1871)
3/6/23 (LAS/ps)

Requested by HOUSE COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES (at the request of Representative Anna Scharf)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2664**

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

2 On page 2, delete lines 1 through 3 and lines 36 through 45 and delete
3 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**
6 **hard of hearing.** (1) **The Department of Human Services shall:**

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

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

14 **“(c) Enter into contracts for the provision of services under para-**
15 **graph (b) of this subsection that, at a minimum, provide for a**
16 **continuum of culturally and linguistically affirmative services to in-**
17 **dividuals who are deaf or hard of hearing through licensed profes-**
18 **sionals who are fluent in each individual’s preferred communication**
19 **mode, style or language and cultural needs.**

20 **“(d) Maintain contracts to ensure the provision of accessible child**
21 **welfare services to individuals who are deaf or hard of hearing, in-**

1 **cluding qualified interpreters certified or otherwise able to render ef-**
2 **fective communication in the child welfare setting, certified deaf**
3 **interpreters, foreign sign language interpreters, occupational thera-**
4 **pists who are familiar with the unique needs of individuals who are**
5 **deaf or hard of hearing, prevention specialists and chemical depend-**
6 **ency counselors.**

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

10 **“(f) Monitor all child welfare service programs to ensure that indi-**
11 **viduals who are deaf or hard of hearing are adequately counted,**
12 **tracked and serviced, including children in need of various services in**
13 **school, private therapy or hospitals, parents needing services to qual-**
14 **ify for restoration of child custody, adults needing the full continuum**
15 **of services, chemical dependency services for children and family**
16 **members, prevention and psychoeducational programs for children and**
17 **family members.**

18 **“(g) To the extent that funds are available for such purposes, en-**
19 **sure adequate funding for the provision of appropriate child welfare**
20 **services to individuals who are deaf or hard of hearing.**

21 **“(2) The department shall develop and implement strategies and**
22 **plans to ensure that individuals who are deaf or hard of hearing have**
23 **sufficient access to child welfare services through remote technolo-**
24 **gies, including videophones or telemedicine.**

25 **“(3) The department may not deny an individual who is deaf or hard**
26 **of hearing access to appropriate child welfare services solely based on**
27 **the individual’s residual hearing ability, whether assisted or not, or**
28 **the individual’s prior experience with an alternative communication**
29 **mode, style or language.**

30 **“(4) Nothing in this section precludes the provision of child welfare**

1 services in more than one communication mode, style or language for
2 a particular individual.

3 “(5) The department shall by rule establish procedures to ensure
4 that individuals receiving child welfare services who are deaf or hard
5 of hearing are provided culturally and linguistically appropriate access
6 to services, including:

7 “(a) Establishing guidelines for determining when a service provider
8 is qualified to provide services to a given individual who is deaf or hard
9 of hearing, including how to measure the service provider’s fluency in
10 the individual’s preferred communication mode, style or language;

11 “(b) Ensuring that when qualified service providers are not avail-
12 able, the individual is assigned a qualified interpreter who meets the
13 department’s standards for child welfare service interpreters;

14 “(c) Establishing guidelines for the use of remote interpreter ser-
15 vices when in-person interpreter services are unavailable;

16 “(d) Establishing a procedure, and documentation, for when an in-
17 dividual who is deaf or hard of hearing declines interpreter services;
18 and

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

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

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

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

30 **“(1) Provide centralized coordination of resources, information, re-**

1 **ferral, training and advocacy relating to child welfare services pro-**
2 **vided to individuals who are deaf or hard of hearing;**

3 **“(2) Ensure the provision of appropriate consultation, training and**
4 **technical assistance to child welfare service providers in various set-**
5 **tings, including home visits, investigations, judicial proceedings, foster**
6 **care placement, respite services, educational placement and any other**
7 **providers of services to individuals receiving child welfare services who**
8 **are deaf or hard of hearing;**

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

13 **“(4) Develop, coordinate, train and oversee the statewide delivery**
14 **of child welfare services for individuals who are deaf or hard of hear-**
15 **ing;**

16 **“(5) Establish statewide foster care standards of care for individuals**
17 **receiving child welfare services who are deaf or hard of hearing;**

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

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

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

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

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