

OREGON TRIAL LAWYERS ASSOCIATION

812 SW Washington Street, #900

Portland, OR 97205

www.oregontriallawyers.org

503-799-1017

Testimony of Arthur Towers

OTLA Political Director

In Support of the -3 amendments to HB 3333

Before the House Committee on Rules

April 27, 2023

Chair Fahey, Vice-Chair Breese-Iverson, Vice-Chair Kropf and members of the committee, thank you for the opportunity to submit testimony in support of the -3 amendments to HB 3333.

Our members fight for children and families harmed in the child welfare system. We share the goals of all the stakeholders to keep children safe.

We support the -3 amendments to HB 3333, which shift the focus of the bill to study the implementation of a “just culture” in caregiving settings. We appreciate the proponents of the bill for bringing this forward.

Caregivers need access to training, professional wages, and a voice on the job. The state should support policies that promote training, retention, safe staffing levels, and job satisfaction. And the state should preserve the ability of watchdogs to identify patterns of systemic breakdowns that put children in jeopardy.

The -3 amendments improve the bill by keeping access to that information more readily available.

The just culture model relies on workers being educated about the risks involved in making a mistake, as opposed to a more punitive approach. The example provided in earlier testimony was a medication error in which identical meds from one child’s pill bottle were given to a child in need of the exact same medicine. Medication mix-ups could be an indicator of a culture that promotes corner-cutting on safety measures.

We are much more concerned about systems that allow mistakes to be made than we are about the individual worker who makes an isolated mistake. A mistake that has minimal impact on a child should definitely be tracked and identified as such in order to be able to track patterns.

We are looking forward to the results of the research of the System of Care Advisory Council that is called for by the -3. We believe that these efforts may advance the quality of care that Oregon's at-risk youth receive. We urge the committee to adopt the -3 amendments, and with that amendment we would support the bill.