

Contract Requirements

Transparency and Notifications related to licensing

- Provide Department with list of all placement sources for the facility, and update the Department any time there is a new placement source, including contact information with the placement entity
- The facility must provide the Department full access to the facility, residents, records etc. for the purposes of licensing, abuse investigations and oversight
- Notify ODHS in no less than three days after receiving notice that any other state imposing a restriction on placement of children with the child-caring agency, suspending or revoking the child-caring agency's license with that state or indicating the state's intent to suspend or revoke the child-caring agency's license with that state

Business practices

- May not impose a nondisclosure on any staff or volunteers of the agency
- Ensure staffing ratio and staff training and education requirements that at least meet the standards established by rule for in state intensive behavioral rehabilitation services
- Meet all of the program, discipline, behavior support, supervision and child rights requirements adopted by the department by rule for behavioral rehabilitation services provided in this state.

Child Rights

- The agency may not practice conversion therapy
- (L) The child-caring agency must identify a child by the child's preferred name and pronouns and may not implement a dress code that prohibits or requires clothing on the basis of biological sex.

Child Safety and Abuse

- Facility must abide by mandatory the mandatory reporting laws of Oregon and the mandatory reporting laws of the state in which the facility is located

- Neither the child-caring agency nor its contractors or volunteers may use chemical or mechanical restraints on a child, including during secure transport.
- Notify the Department in no more than 3 working days after an allegation of abuse against a child at that agency is substantiated, regardless of the state that substantiated the finding or the placement source of the child
- Immediate notice to the state, in writing and verbally whenever:
 - A child from any state that is in the care of the agency dies, is seriously injured or is sexually assaulted; or
 - If the agency becomes aware any criminal investigation, arrest or criminal charges involving an agency staff member if the alleged offense involved a child or could have reasonably posed a risk to the health, safety or welfare of a child.
- A department child welfare services employee must accompany a child who is placed in an out-of-state child-caring agency any time the child is transported to an initial out-of-state placement, any time the child is moved to a new placement and any time the child is moved by secure transport.

Medical care

- (M) Genetic testing, including testing for psychopharmacological purposes, must be approved by a court and may not be included as a standing order for a child in care.
 - (O) The child-caring agency must ensure that the use of any psychotropic medications for a child placed with the child-caring agency by the department is in compliance with ORS 418.517 and any rules regarding psychotropic medications adopted by the department.
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Children with Intellectual and Developmental Disabilities

The department shall develop rules outlining a process for review of the out-of-state placement of a child who is identified as a child with an intellectual or developmental disability or who is suspected of having an intellectual or developmental disability. At a minimum, the rules must:

- Identify a process for expediting review of the child's eligibility for developmental disability services.
- Require that a multidisciplinary review team, including administrators in the developmental disability services program, review the placement before the child is placed out-of-state.
- Require that a multidisciplinary team, including administrators in the developmental disability services program, monitor the progress of the child in the out-of-state placement.

- Require that contracts for placement of the child ensure that the child has the same rights and protections that the child would have if the child was placed in this state.

Requirements for ODHS

- A department child welfare services employee must accompany a child who is placed in an out-of-state child-caring agency any time the child is transported to an initial out-of-state placement, any time the child is moved to a new placement and any time the child is moved by secure transport.
- May not place a non-adjudicated youth in a program that is designed to serve juvenile offenders or is a juvenile detention program
- The department shall develop rules outlining a process for review of the out-of-state placement of a child who is identified as a child with an intellectual or developmental disability or who is suspected of having an intellectual or developmental disability. At a minimum, the rules must:
 - Identify a process for expediting review of the child's eligibility for developmental disability services.
 - Require that a multidisciplinary review team, including administrators in the developmental disability services program, review the placement before the child is placed out-of-state.
 - Require that a multidisciplinary team, including administrators in the developmental disability services program, monitor the progress of the child in the out-of-state placement.
 - Require that contracts for placement of the child ensure that the child has the same rights and protections that the child would have if the child was placed in this state.