

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 736

By COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES

May 29

- 1 On page 1 of the printed A-engrossed bill, line 2, delete “and”.
- 2 In line 3, before the period insert “; and declaring an emergency”.
- 3 Delete lines 10 through 25 and delete pages 2 and 3 and insert:
- 4 “**SECTION 2.** ORS 409.185 is amended to read:
- 5 “409.185. (1) The Director of Human Services shall oversee the development of standards and
- 6 procedures for assessment, investigation and enforcement of child protective services.
- 7 “(2)(a) The Department of Human Services shall take action to implement the provision of child
- 8 protective services as outlined in ORS 417.705 to 417.800 and based on the recommendations in the
- 9 1992 ‘Oregon Child Protective Services Performance Study’ published by the University of Southern
- 10 Maine.
- 11 “(b) In all substantiated cases of child abuse and neglect, the role of the department is to com-
- 12 plete a comprehensive family assessment of risk of abuse or neglect, or both, assess service needs
- 13 and provide immediate protective services as necessary.
- 14 “(c) The department shall provide remedial services needed to ensure the safety of the child.
- 15 “(d) In all cases of child abuse and neglect for which a criminal investigation is conducted, the
- 16 role of law enforcement agencies is to provide a legally sound, child sensitive investigation of
- 17 whether abuse or neglect or both have occurred and to gather other evidence and perform other
- 18 responsibilities in accordance with interagency agreements.
- 19 “(e) The department and law enforcement agencies shall conduct the investigation and assess-
- 20 ment concurrently, based upon the protocols and procedures of the county child abuse multidisci-
- 21 plinary team in each jurisdiction.
- 22 “(f) When the department and law enforcement agencies conduct a joint investigation and as-
- 23 sessment, the activities of the department and agencies are to be clearly differentiated by the pro-
- 24 tocols of the county child abuse multidisciplinary team.
- 25 “(g) Nothing in this subsection is intended to be inconsistent with ORS 418.702, 418.747 and
- 26 418.748 and ORS chapter 419B.
- 27 “(h) In all cases of child abuse for which an investigation is conducted, the department shall
- 28 provide a child’s parent, guardian or caregiver with a clear written explanation of the investigation
- 29 process, the court hearing process and the rights of the parent, guardian or caregiver in the abuse
- 30 investigation and in the court proceedings related to the abuse investigation. **When the depart-**
- 31 **ment provides the written explanation under this paragraph to a child’s parent or guardian,**
- 32 **the department shall include a disclosure that the representative of the department is not**
- 33 **an attorney and cannot provide legal advice to the parent or guardian.**
- 34 “(3) Upon receipt of a recommendation of the Children’s Advocate under ORS 417.815 (2)(e), the
- 35 department shall implement the recommendation or give the Children’s Advocate written notice of

1 an intent not to implement the recommendation.

2 **“SECTION 3. (1) Section 1 of this 2025 Act applies to investigations of abuse arising from**
3 **actions committed on or after the effective date of this 2025 Act.**

4 **“(2) The amendments to ORS 409.185 by section 2 of this 2025 Act apply to child abuse**
5 **investigations pending on the effective date of this 2025 Act and to child abuse investigations**
6 **initiated on or after the effective date of this 2025 Act.**

7 **“SECTION 4. This 2025 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
9 **on its passage.”.**

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