

**TESTIMONY ON HOUSE BILL 3835
BEFORE THE HOUSE COMMITTEE ON
EARLY CHILDHOOD AND HUMAN SERVICES
MARCH 20, 2025**

**PRESENTED BY: CHANNA NEWELL, SENIOR STAFF COUNSEL FOR
GOVERNMENT RELATIONS
OREGON JUDICIAL DEPARTMENT**

Chair Hartman, Vice-Chairs Nguyen and Scharf, and Members of the Committee:

Thank you for the opportunity to provide this testimony. The Oregon Judicial Department (OJD) is neutral on House Bill 3835 but would ask the legislature to clarify the intent of the provisions in section 36 of the bill.

Section 36 revises the process for placing a child in an out-of-state child-caring agency. Specifically, subsection (7) allows a child to be placed out of state without the required licensing or without being under state contract in certain circumstances.

Section 36(7)(b) says that such out-of-state placements are not subject to court approval of the placement as required by ORS 419B.351. That statute requires the Department of Human Services (DHS) to move the court for approval of a placement in a qualified residential treatment program (QRTP) no later than 30 days following the placement. The court may then allow or disallow the placement. As noted, the court review process that is specified in ORS 419B.351 is only for placement in a QRTP, not in a different type of facility.

OJD seeks clarification on whether the language “not subject to” in section 36(7)(b) is intended to act as a complete prohibition on DHS seeking judicial review of placements in out-of-state QRTPs, and whether the language is intended to make out-of-state placement decisions in non-QRTP facilities outside the scope of judicial review as well. OJD also would request clarification as to whether DHS is required or authorized to provide notifications to the court when a child is placed out of state.

Amendment or clarification on this issue would provide greater clarity to the court and parties on the expectations of court review when children are placed in non-licensed or non-contracted out-of-state facilities.