



Oregon

Tina Kotek, Governor

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Representative Ben Bowman, Chair
Representative Christine Drazan, Vice-Chair
Representative Hai Pham, Vice-Chair
House Committee on Rules
900 Court St. NE
Salem, OR 97301

Chair Bowman, Vice-Chairs Drazan and Pham, and Members of the Committee:

Thank you for the opportunity to testify in support of **House Bill 3835A**.

I serve as the Director of Child Welfare. I am also a mom and the legal parent to the thousands of children experiencing foster care in Oregon. This bill is more than policy to me. It's personal—because when the system fails to provide the care these children need, that's my responsibility, and it's their lives.

Let's be clear—access to medical care is not a privilege. It is a fundamental human right. Yet under current statute, children in foster care are being denied this most basic right. This sends a devastating message to children who are already navigating the trauma of being separated from their families due to abuse or neglect. The message is that their well-being matters less than that of their peers. That's not acceptable.

And unfortunately these are not rare cases or hypotheticals. We have children stuck for days in emergency rooms because there are no appropriate treatment options available to them. We've lost young people to overdose because there's no in-state residential substance use treatment available. And just last summer, we had to knowingly break existing law to get a young person the care they urgently needed out of state, because there was no facility in Oregon equipped to help them. These aren't just stories. **These are real children being denied the opportunity to heal.** We are doing everything we can within the bounds of current law—but when that law stands in the way of getting children medically necessary care, it's time for a change.

Complicating things further, Child Welfare is currently operating under a federally binding settlement agreement that requires us to ensure adequate placements and services for children in our care. We want to meet that obligation. But in too many cases, the current statute prevents us from doing so, by limiting our ability to pursue out-of-state treatment options even when they are medically necessary. We are, in essence, being asked to meet standards we are not legally allowed to fulfill.

“Assisting People to Become Independent, Healthy and Safe”

Child Welfare has made mistakes. We know that, and we own it. HB 3835A doesn't ignore the mistakes of the past, it directly responds to them by introducing narrow, well-regulated exceptions to make sure young people in our custody are safe and receiving the care they urgently need.

HB 3835A is a crucial fix that would give us the flexibility to get kids the right care, in the right setting, at the right time—even if that care is across the state line. And it comes with built-in oversight, reporting, and guardrails to ensure that this flexibility is used in ways that keep kids safe.

The truth is that voting no on this bill would not be a neutral act. It would be a decision to maintain a system that we already know is broken. It would tell children in our care that their right to health care depends not on need, but on geography or politics.

You have the power to change that—and to build a legacy of compassion for children in our state who have to experience foster care. I am therefore urging you—on behalf of the children we serve, and the professionals trying every day to keep them safe—to vote yes on HB 3835A.

Let's choose to prioritize kids over politics. Let's choose to lead with compassion—because every child, no matter their circumstances, deserves care and the chance to heal.

Sincerely,

Aprille Flint-Gerner
Director, Child Welfare
Oregon Department of Human Services