

Improved safety and well-being for kids

- Ensures all children in the legal custody of ODHS are under the umbrella of “child in care.” This is not just about abuse investigations, but about access to attorneys and CASAs and notifications to people that care about children when the children have been harmed.
- Allows narrow exceptions for out of state placements for family foster care and pre-adoptive placements selected by the Department, ICWA compliant placements and for Eating Disorder Treatment
- Creates new flexibility for older youth to have safe placement outside of a BRS program or family foster care, reducing need for Temporary Lodging
- Narrow exception for 18-20 year olds in care to access adult ODHS or OHA licensed settings
- Narrow exception to allow youth 16 and older to access SUD treatment in an adult facility when permitted by the facility
- Eliminates investigations of children in care (age birth to 20) and all youth under 18 under the child in care abuse definition

Regulatory relief for providers and ODHS Employees (SEIU)

- Narrows scope of investigations for abuse of a “child in care” while maintaining current definitions
- Provides new protections to ODHS employees transporting youth or supporting them in Temporary Lodging relating to abuse investigations and restraint regulations
- Provides relief to providers through clear limitations on when a license revocation or suspension can be used, and removing mandatory licensing action when an employee fails to make a mandatory child abuse report
- Prohibits a substantiated abuse disposition for the sole reason that a person’s training and certification was not complete or current
- Makes form and style changes to improve readability of statute

Clarity and workload reduction for department

- Narrows scope of investigations for abuse of a “child in care”, reducing workload related to mandatory reports and investigations
- Creates new protections for ODHS employees transporting youth or supporting them in temporary lodging

- Clarifies licensing requirements for secure transportation does not apply to secure medical transportation

Clarity for Further Discussion

This proposal will not draw opposition from those who opposed HB 3835B, even though it includes many provisions that were in that legislation.

This allows for meaningful progress we can make now that benefit kids, adults and youth. Taking these fixes off the table creates time and space to focus future discussions.