

HB 4042 -3, -4, -5, -6 STAFF MEASURE SUMMARY

House Committee On Behavioral Health

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Meeting Dates: 2/10, 2/12

WHAT THE MEASURE DOES:

The measure modifies the regulation of child-caring agencies (CCAs) and makes specified exemptions to limitations on child care placements by the Oregon Department of Human Services (ODHS).

Detailed Summary:

Adds placement of conditions to actions against a CCA license that ODHS must take when specified violations are found. Specifies that the definition of "mechanical restraint" does not apply to vehicle safety restraints used during the transportation of a child. Specifies circumstances permitting ODHS to place an Indian child in an out-of-state placement. Specifies circumstances permitting ODHS to place a child or ward in a congregate care residential setting that is not a CCA and situations in which placement duration limits may be exceeded. Requires child placement exceptions to be approved by ODHS division director.

ISSUES DISCUSSED:

- House Bill 3835 (2025)
- Impact of insurance coverage on children's access to out-of-state placements
- Parameters for federal financial participation for placements in congregate care facilities

EFFECT OF AMENDMENT:

- 3 Modifies circumstances permitting ODHS to place a child or ward in a congregate care residential setting.
- 4 Removes provisions modifying circumstances permitting ODHS to place a child or ward in a congregate care residential setting.
- 5 Modifies provisions dealing with permitted use of restraints, including adding requirement that ODHS adopt training standards and certification requirements.
- 6 Removes provisions specifying circumstances in which ODHS may place an Indian Child in an out-of-state placement. Modifies circumstances permitting ODHS to place a child or ward in a congregate care residential setting.

Fiscal impact: *Has minimal fiscal impact*

Revenue impact: *No revenue impact*

BACKGROUND:

Oregon law requires child-caring agencies (CCAs) to be licensed. Child-caring agencies can include: academic and therapeutic boarding schools, adoption and foster care agencies, day treatment and residential treatment agencies, youth, shelters, outdoor programs, and secure transportation services. The Oregon Department of Human Services' Children's Care Licensing Program (CCLP) helps set licensing requirements and makes sure CCAs meet licensing requirements, including through site visits to CCAs.

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