

HB 4058-6  
(LC 236)  
2/9/26 (LAS/ps)

Requested by HOUSE COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES (at the request of Representative Annessa Hartman)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4058**

1       Delete lines 4 through 16 of the printed bill and insert:

2       **“SECTION 1. (1) Notwithstanding ORS 418.321 or 418.322, if there is**  
3 **reason to know, as described in ORS 419B.636, that a child is an Indian**  
4 **child, the Department of Human Services may place the child in an**  
5 **out-of-state institution meeting the criteria described in ORS 419B.654**  
6 **(1)(d)(B)(iv) without requiring the institution to be licensed by or un-**  
7 **der contract with the department or to be a qualified residential**  
8 **treatment program if:**

9       **“(a) The placement complies with the placement preferences under**  
10 **ORS 419B.654; and**

11       **“(b) The department provides at least 10 days’ notice to the court**  
12 **and the parties of the proposed placement or, if the delay caused by**  
13 **providing this notice would likely result in serious physical or emo-**  
14 **tional harm to the child, endanger the child’s life or cause loss of**  
15 **placement availability, the department shall provide the notice to the**  
16 **court and the parties as soon as practicable and in no event later than**  
17 **one business day after the child leaves this state.**

18       **“(2) ORS 418.321 (1) to (4) or (6) does not apply to the department’s**  
19 **placement of a child in an out-of-state child-caring agency if:**

20       **“(a) The placement is for the purpose of placing the child or ward**  
21 **in a relative foster home or preadoptive family placement that has**

- 1    **been selected and approved by the department;**
- 2        **“(b) The department retains the sole authority to approve the foster**
- 3        **care or preadoptive placement of the child;**
- 4        **“(c) The child is not placed in a congregate care residential setting,**
- 5        **as defined in ORS 418.322; and**
- 6        **“(d) The placement complies with the requirements of the Inter-**
- 7        **state Compact on the Placement of Children.**

8        **“(3) As used in this section:**

9        **“(a) ‘Child’ has the meaning given that term in ORS 418.205.**

10       **“(b) ‘Indian child’ has the meaning given that term in ORS 419B.603.**

11       **“(c) ‘Out-of-state child-caring agency’ means a provider of**

12       **children’s care or services in a state other than Oregon that would be**

13       **required to be licensed, certified or otherwise authorized by the de-**

14       **partment under ORS 418.240 if the provider provided the care or ser-**

15       **vices in this state.**

16       **“(d) ‘Qualified residential treatment program’ means a program**

17       **described in ORS 418.323.”.**

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