

2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2189 **STATUS:** A-Engrossed
SUBJECT: Mandatory reporting and investigation of substantial threat and actual child abuse occurring under current legal definition of child abuse
GOVERNMENT UNIT AFFECTED: Department of Human Services, Oregon State Police, and Oregon Judicial Department
PREPARED BY: John F. Borden
REVIEWED BY: Sheila Baker, Doug Wilson, and Robin LaMonte
DATE: March 20, 2007

	<u>2007-2009</u>	<u>2009-2011</u>
EXPENDITURES: See Comments		

EFFECTIVE DATE: January 1, 2008

GOVERNOR’S BUDGET: This bill is anticipated by the Governor’s recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This measure modifies circumstances under current law when mandatory child abuse reporters must report child abuse. This measure removes the “threatened harm” standard and inserts a new standard based on the existence of circumstances that create a “substantial threat” of child abuse.

DHS states that this measure does not have a fiscal impact since the Department believes that the new language neither broadens nor narrows existing statutory language. The new language, according to the DHS, simply offers statutory clarification for when mandatory reporters must report instances of child abuse.

The Legislative Fiscal Office (LFO) acknowledges that no fiscal impact is expected. However, LFO notes that individual mandatory reporters may interpret the new language differently, and could respond by making fewer or more reports than the number generated by the “threatened harm” definition in current law. This could result in a change in the number of DHS and law enforcement investigations that would occur, affecting DHS, Oregon State Police, local law enforcement, Oregon Judicial Department, Public Defense Services Commission, and the Department of Corrections.

State agencies with mandatory reporters, such as DHS and the Oregon Youth Authority, should not have any other fiscal impact related to this measure other than minimal, one-time costs of updating administrative rule(s), and training materials.