

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

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**MEASURE NUMBER:** HB 3113                      **STATUS:** B-Engrossed  
**SUBJECT:** Investigations of allegations of child abuse  
**GOVERNMENT UNIT AFFECTED:** Department of Human Services, Employment Department, and local government  
**PREPARED BY:** John F. Borden  
**REVIEWED BY:** Sheila Baker and Michelle Deister  
**DATE:** June 5, 2007

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

**EFFECTIVE DATE:** January 1, 2008

**GOVERNOR'S BUDGET:** This bill is not anticipated by the Governor's recommended budget.

**LOCAL GOVERNMENT MANDATE:** This bill may affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**COMMENTS:** This measure directs that when the Department of Human Services (DHS) or a law enforcement agency (LEA) receives a report of child abuse, the Department or law enforcement will investigate the allegation. If the report of abuse is alleged to have occurred at a child care facility, then the Department and the LEA shall jointly determine the roles and responsibilities of the Department and the LEA in their respective investigations. The Department and LEAs shall each report the outcomes of their investigations to the Employment Department, Child Care Division.

Under current law, DHS or LEAs are responsible for investigating reports of child abuse. In federal fiscal year 2005, DHS alone received 55,144 such reports. It is unknown how many of these investigations were jointly conducted with LEAs or how many additional reports were investigated solely by LEAs.

The fiscal impact of this measure is indeterminate. The DHS notes that this subsection "reinforces and clarifies" its existing statutory authority under Oregon Revised Statute 419B.020, which authorizes the Department to conduct child abuse investigations as well as notify the Oregon Employment Department's Child Care Division of alleged child abuse in a child care facility. DHS states that it has operated under an internal policy of only conducting investigations in such facilities in cases of familial abuse or neglect or where law enforcement asks for assistance, and has generally not conducted day care facility related investigations under ORS 419B.020. The exception to this policy has been the DHS Multnomah County field office, which has conducted such investigations. DHS is unable to quantify the number of child care facility complaints that have historically taken place in Oregon counties other than Multnomah County.

The Employment Department, Child Care Division states that this measure does not have a fiscal impact to the Department.

Local government could have a minimal fiscal impact related to this measure requiring LEAs and DHS to jointly determine responsibilities in those cases where this determination has not been done in the past, as well as the fact LEAs will now need to report on investigation outcomes to the Employment Department. The fiscal impact is considered minimal because these requirements are already established practices in some jurisdictions.