

House Bill 3135

Sponsored by Representative FLORES (at the request of Oregon Foster Parents Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands foster parent bill of rights.

A BILL FOR AN ACT

1
2 Relating to foster parents; amending ORS 418.648.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 418.648 is amended to read:

5 418.648. A foster parent has the right to:

6 (1) Be treated with dignity, respect and trust as a member of a team, including respect for the
7 family values and routines of the foster parent.

8 (2) Be included as a valued member of a team that provides care and planning for a foster child
9 placed in the home of the foster parent.

10 (3) Receive support services, as resources permit, from the Department of Human Services that
11 are designed to assist in the care of the foster child placed in the home of the foster parent.

12 (4) Be informed of any condition that relates solely to a foster child placed in the home of the
13 foster parent that may jeopardize the health or safety of the foster parent or other members of the
14 home or alter the manner in which foster care should be provided to the foster child. The informa-
15 tion shall include complete access to written reports, psychological evaluations and diagnoses that
16 relate solely to a foster child placed in the home of the foster parent provided that confidential in-
17 formation given to a foster parent must be kept confidential by the foster parent, except as neces-
18 sary to promote or to protect the health and welfare of the foster child and the community.

19 (5) Have input into a permanency plan for a foster child placed in the home of the foster parent.

20 (6) Receive assistance from the department in dealing with family loss and separation when the
21 foster child leaves the home of the foster parent.

22 (7) Be informed of all policies and procedures of the department that relate to the role of the
23 foster parent.

24 (8) Be informed of how to receive services and to have access to department personnel or ser-
25 vice providers 24 hours a day, seven days a week.

26 (9) Initiate an inactive referral status for a reasonable period of time, not to exceed 12 months,
27 to allow a foster parent relief from caring for foster children.

28 (10) Not be discriminated against on the basis of race, color, religion, sex, national origin, age
29 or disability.

30 (11) Be notified of the foster parent's right to limited participation in proceedings in the juvenile
31 court and provided with an explanation of that right.

32 **(12) Be notified by certified mail within 30 days after information is retained in written**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 form by the department regarding the person's performance as a foster parent. The foster
2 parent shall have the right to view and respond to the information and have the response
3 stored in the same manner as the information.

4 (13) Obtain a complete copy of the foster parent's certification file, excluding any refer-
5 ences provided to the department by third parties regarding the foster parent.

6 (14) A contested case hearing upon a final determination made by the department re-
7 garding the existence of abuse.

8 (15) Have the department expunge allegations of abuse that the department determines
9 cannot be substantiated within two years from the date of the determination.

10 (16) An initial assessment regarding the validity of any allegation of abuse made within
11 30 days of receipt of the allegation, unless a criminal investigation is also being conducted.

12 (17) Serve notice and have an opportunity to be heard prior to any determinations made
13 by the department regarding allegations of abuse.

14 (18) Record any conversation, interview or meeting between the foster parent and the
15 department with the knowledge of the person being recorded.

16