

B-Engrossed
Senate Bill 282

Ordered by the Senate June 23
Including Senate Amendments dated April 2 and June 23

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Juvenile Rights Project)

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.

Modifies definition of "foster home" to allow persons related to child by blood or marriage to be considered as foster parents to same extent as unrelated foster parents.

Requires Department of Human Services to adopt payment standards for foster care. Authorizes department to take into account income, resources and maintenance available to and necessary expenditures of foster parent who is relative of child placed in care.

A BILL FOR AN ACT

1
2 Relating to the maintenance of familial relationships of persons in the juvenile system; amending
3 ORS 418.495 and 418.625.

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

5 **SECTION 1.** ORS 418.495 is amended to read:

6 418.495. **(1)** Within the limits of funds available therefor, the Department of Human Services may
7 enter into agreements with licensed child-caring agencies and other appropriate facilities, including
8 youth care centers, for the purchase of care for children who require and are eligible for such care,
9 regardless of whether the children are wards of the state or whether the department is their
10 guardian or has their custody or whether the children are surrendered to a child-caring agency or
11 committed thereto by order of a court under ORS chapter 419B or 419C. The agreement shall pre-
12 scribe the procedures for payment, the rate of payment and may contain such other conditions as
13 the department and the agency or facility may agree.

14 **(2) The department shall by rule adopt payment standards for foster care. In establishing**
15 **standards, the department may take into account the income, resources and maintenance**
16 **available to and the necessary expenditures of a foster parent who is a relative, as defined**
17 **by rule, of the child placed in care.**

18 **SECTION 2.** ORS 418.625 is amended to read:

19 418.625. As used in ORS 418.625 to 418.645:

20 (1) "Certificate" means a written approval to operate a foster home issued by the Department
21 of Human Services on a form prescribed by the department that states the name of the foster parent,
22 the address of the premises to which the certificate applies and the maximum number of children
23 to be maintained or boarded in the foster home at any one time.

24 (2) "Department" means the Department of Human Services.

25 (3) "Foster home" means any home maintained by a person who has under the care of the person

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 in *[such]* **the** home any child under the age of 21 years *[not related to the person by blood or marriage*
2 *and]* unattended by *[its]* **the child's** parent or guardian, for the purpose of providing *[such]* **the** child
3 with care, food and lodging, but does not include:

4 (a) Any boarding school that is essentially and primarily engaged in educational work;

5 (b) Any home in which a child is provided board and room by a school board;

6 (c) Any foster home under the direct supervision of a private child-caring agency or institution
7 certified by the department;

8 (d) Any home under the direct supervision of a custodial parent for the purpose of providing
9 respite care as defined by rule; or

10 (e) Any developmental disability child foster home as defined in ORS 443.830.

11