

A-Engrossed
Senate Bill 412

Ordered by the Senate April 2
Including Senate Amendments dated April 2

Sponsored by Senators BROWN, KRUSE, Representatives KRIEGER, SCHAUFLEER

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.

[Requires notification of child's attorney and child's court appointed special advocate when report of child abuse involves child in foster care.]

Requires Department of Human Services to notify specified persons when child abuse report involves child in substitute care. Establishes conditions of notification.

A BILL FOR AN ACT

1
2 Relating to reports of child abuse; amending ORS 419B.015.

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

4 **SECTION 1.** ORS 419B.015 is amended to read:

5 419B.015. (1)(a) A person making a report of child abuse, *[whether voluntarily or pursuant to]*
6 **whether the report is made voluntarily or is required by** ORS 419B.010, shall make an oral re-
7 port by telephone or otherwise to the local office of the Department of Human Services, to the
8 designee of the department or to a law enforcement agency within the county where the person
9 making the report is located at the time of the contact. The report shall contain, if known, the
10 names and addresses of the child and the parents of the child or other persons responsible for care
11 of the child, the child's age, the nature and extent of the abuse, including any evidence of previous
12 abuse, the explanation given for the abuse and any other information that the person making the
13 report believes might be helpful in establishing the cause of the abuse and the identity of the
14 perpetrator.

15 (b) When a report of child abuse is received by the department, the department shall notify a
16 law enforcement agency within the county where the report was made. When a report of child abuse
17 is received by a designee of the department, the designee shall notify, according to the contract,
18 either the department or a law enforcement agency within the county where the report was made.
19 When a report of child abuse is received by a law enforcement agency, the agency shall notify the
20 local office of the department within the county where the report was made.

21 (2) When a report of child abuse is received under subsection (1)(a) of this section, the entity
22 receiving the report shall make the notification required by subsection (1)(b) of this section accord-
23 ing to rules adopted by the department under ORS 419B.017.

24 **(3)(a) When a report alleging that a child or ward in substitute care may have been**
25 **subjected to abuse is received by the department, the department shall notify the attorney**
26 **for the child or ward, the child's or ward's court appointed special advocate, the parents of**
27 **the child or ward and any attorney representing a parent of the child or ward that a report**

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 **has been received.**

2 **(b) The name and address of and other identifying information about the person who**
3 **made the report may not be disclosed under this subsection. Any person or entity to whom**
4 **notification is made under this subsection may not release any information not authorized**
5 **by this subsection.**

6 **(c) The department shall make the notification required by this subsection within three**
7 **business days of receiving the report of abuse.**

8 **(d) Notwithstanding the obligation imposed by this subsection, the department is not re-**
9 **quired under this subsection to notify the parent or parent's attorney that a report of abuse**
10 **has been received if the notification may interfere with an investigation or assessment or**
11 **jeopardize the child's or ward's safety.**

12
