

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** SB 123

**STATUS:** A Engrossed

**SUBJECT:** Requires the Department of Human Services to release records related to child abuse to Teacher Standards and Practices Commission for investigations conducted by the Commission

**GOVERNMENT UNIT AFFECTED:** Department of Human Services, Teacher Standards and Practices Commission

**PREPARED BY:** Kim To

**REVIEWED BY:** Sheila Baker, Monica Brown

**DATE:** April 16, 2009

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	<u>2009-2011</u>	<u>2011-2013</u>
<b>EXPENDITURES:</b> See Analysis		

**EFFECTIVE DATE:** On Passage

**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.

**ANALYSIS:** This measure requires the Department of Human Services (DHS) to make records related to child abuse involving any child or any student in grade 12 or below available to the Teacher Standards and Practices Commission (TSPC) for investigations conducted by the Commission. The bill requires TSPC to keep these records received from DHS confidential.

DHS states that passage of this bill would have an indeterminate fiscal impact on the Department dependent on the frequency and amount of information requested by the Commission. These requests could add additional workload to DHS staff and increase costs related to training staff in the process of providing necessary information to TSPC without breaching confidentiality, accessing archived files, copying and delivery of information. The Legislative Fiscal Office notes that the fiscal impact on DHS would likely be minimal because the Teacher Standards and Practices Commission anticipates infrequent requests for child abuse reports currently created by the DHS and already made available to law enforcement agencies, physicians, attorneys, citizens review boards established by the Judicial Department and the Office of Children's Advocate.

The bill contains clarifying language requiring TSPC to promptly conduct investigations upon receipt of a complaint or information that may constitute grounds for refusal, suspension or revocation of a license or registration; or discipline of a person holding the license or registration. If this bill passes, TSPC anticipates no fiscal impact. The bill's clarifying language regarding how the Commission conducts investigations does not require additional staffing or resources.