

# House Bill 2688

Sponsored by Representative KOTEK, Senators DINGFELDER, MONNES ANDERSON; Representatives RILEY, SHIELDS

## 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**.

Directs Department of Human Services to report, by percentage, race or ethnicity of children in foster care system compared to race or ethnicity of children in general population.

Directs department to establish and implement reimbursement formula for nonprofit community organizations that serve needs of certain children.

## A BILL FOR AN ACT

1  
2 Relating to the Department of Human Services; amending ORS 418.036 and 418.627.

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

4 **SECTION 1.** ORS 418.036 is amended to read:

5 418.036. (1) On or before November 1 of each even-numbered year, the Department of Human  
6 Services shall develop and submit a report to the appropriate legislative interim committees dealing  
7 with child welfare matters. The report shall cover the prior 24-month period and shall include, but  
8 need not be limited to:

9 [(1)] (a) The number of children in foster care;

10 [(2)] (b) The number of children that have had more than one foster care placement;

11 [(3)] (c) The number of placements for each child described in [*subsection (2) of this section*]

12 **paragraph (b) of this subsection;**

13 [(4)] (d) The percentage of foster children placed apart from siblings;

14 [(5)] (e) The number of placement changes experienced by foster children;

15 [(6)] (f) The number and percentage of children placed with relatives; and

16 [(7)] (g) The department's Status of Children in Oregon's Child Protection System annual report.

17 **(2) In the report required under this section, the department shall provide data about the**  
18 **race or ethnicity of the children and shall include a comparison, by percentage, of the race**  
19 **or ethnicity of those children to the race or ethnicity of children in the general population.**

20 **SECTION 2.** ORS 418.627 is amended to read:

21 418.627. (1) The Legislative Assembly finds that in the Indian Child Welfare Act[, *Public Law*  
22 *95-608*] **(25 U.S.C. 1901 et seq.)**, the United States Congress recognized the special legal status of  
23 Indian tribes and their members. This section implements the federal policy of protecting Indian  
24 cultures by [*insuring*] **ensuring** the placement of Indian children within Indian families or commu-  
25 nities, and [*that*] as a consequence, the State of Oregon should take the actions provided in sub-  
26 sections (2) to (4) of this section.

27 (2) A person providing a foster home to an American Indian child shall be eligible for payments  
28 under ORS 418.625 to 418.645 regardless of the relationship by blood or marriage that the person  
29 has to the child where the child's placement in the foster home is pursuant to the Indian Child  
30 Welfare Act [*(25 U.S.C. 1901 et seq.)*].

**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           (3) Certification of a foster home described in subsection (2) of this section shall be pursuant to  
2 standards set out in an agreement between the Department of Human Services and the tribe of  
3 which the child is a member or, if there is no such agreement, certification shall be pursuant to  
4 standards adopted by a federally recognized Indian tribe.

5           (4) If subsection (2) or (3) of this section is found to be unconstitutional for any reason, then the  
6 entire section shall be null and void.

7           **(5) The department shall establish and implement a reimbursement formula for compen-**  
8 **sation to nonprofit community organizations that serve the needs of American Indian or**  
9 **Alaskan Native children in the foster care system in order to:**

10           **(a) Meet the requirements of the Indian Child Welfare Act; and**

11           **(b) Ensure the delivery of culturally appropriate services that improve the well-being of**  
12 **American Indian or Alaskan Native children.**

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