

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass and Rescind the Subsequent Referral to the Committee on Ways and Means
Vote:	8 - 0 - 0
Yeas:	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
Nays:	0
Exc.:	0
Prepared By:	Jennifer Kellar, Administrator
Meeting Dates:	2/4, 2/14, 2/21

WHAT THE MEASURE DOES: Provides that the Department of Human Services (DHS) determines the qualifications for and sets the adoption payment amount through negotiations with prospective adoptive parents. Allows for modification of the payment amount upon a change in circumstance or in the amount of comparable assistance in foster care. Clarifies when DHS may suspend or terminate payments to adoptive parents. Establishes the right to a hearing for those affected by DHS decisions. Removes the requirement to annually re-determine adoption assistance subsidies and the ability to make discretionary adjustments to those subsidies by DHS.

ISSUES DISCUSSED:

- Need to bring Oregon Revised Statute surrounding adoption assistance into compliance with federal laws
- Redetermination of subsidies determined through agreement between adoptive parents and department
- Negotiation of agreements may transpire at any time
- Agency currently required to send annual letter to 11,000 recipients
- Workload impact with passage of bill

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current Oregon statutes are not in alignment with federal statutes which provide specific criteria for the adjustment and re-determination of adoption assistance subsidies. DHS is required to annually re-determine adoption assistance and has discretionary authority to adjust subsidies, contrary to federal statutes. As a result of the non-alignment between the statutes, penalties and legal action could be assessed against DHS through the state and federal audit process.

The number of new Adoption Assistance Agreements has steadily increased from 9,775 to 11,920 during the last two biennia 2005-2009.