

HOUSE AMENDMENTS TO HOUSE BILL 3570

By COMMITTEE ON HUMAN SERVICES

April 20

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and line 3 and insert
2 “417.710, 417.730, 417.735 and 417.775.”.

3 Delete lines 5 through 30 and delete pages 2 through 16 and insert:

4 “**SECTION 1.** ORS 417.710 is amended to read:

5 “417.710. Subject to the availability of funds therefor and the specific provisions of ORS 417.705
6 to 417.801 and 419A.170, it is the purpose of ORS 417.705 to 417.801 and 419A.170 to:

7 “(1) Authorize the State Commission on Children and Families to set statewide guidelines for the
8 **local** planning, coordination and delivery of services for children and families in conjunction with
9 other state agencies and other planning bodies;

10 “(2) Vest in local commissions on children and families the authority to distribute state and
11 federal funds allocated to the local commissions to supervise services or to purchase services for
12 children and families in the local area and to supervise the development of the local coordinated
13 comprehensive plan;

14 “(3) Provide a process for comprehensive local planning for services for children and families
15 to provide local services that are consistent with statewide guidelines;

16 “(4) Retain in the state the responsibility for funding of services for children and families
17 through a combination of local, state and federal funding, including the leveraging of public and
18 private funds available under ORS 417.705 to 417.801 and 419A.170; and

19 “(5) Retain state supervision of child protection and other services that should be uniform
20 throughout the state and that are necessarily the state’s responsibility.

21 “**SECTION 2.** ORS 417.730 is amended to read:

22 “417.730. (1) There is established a State Commission on Children and Families consisting of:

23 “(a) The Director of Human Services;

24 “(b) The Superintendent of Public Instruction;

25 “(c) The Director of the Employment Department or, at the Governor’s direction, the chair-
26 person of the Commission for Child Care;

27 “(d) The Director of the Oregon Health Authority;

28 “(e) One member appointed by the President of the Senate, who shall be a member of the Senate
29 and who shall be a nonvoting, advisory member;

30 “(f) One member appointed by the Speaker of the House of Representatives, who shall be a
31 member of the House of Representatives and who shall be a nonvoting, advisory member; and

32 “(g) [*Twelve*] **Nine** members appointed by the Governor.

33 “(2) The appointments made by the Governor shall reflect the state’s diverse populations and
34 regions and shall include representatives with expertise along the full developmental continuum of
35 a child from the prenatal stage through 18 years of age. The members appointed by the Governor

1 shall include:

2 “(a) One representative from the Oregon Juvenile Department Directors’ Association, from
3 which the Governor may solicit suggestions for appointment;

4 “(b) [Six] **Two** public members who have demonstrated interest in children, with consideration
5 given to a youth member and persons from the education community;

6 “(c) [Two] **Three** members from local commissions on children and families, [*one from a rural*
7 *area and one from an urban area*] **representing small, medium and large counties;**

8 “(d) One social service professional; and

9 “(e) Two members from the business community who have demonstrated interest in children.

10 “(3) The term of office of each member appointed by the Governor, **the President of the Senate**
11 **or the Speaker of the House of Representatives** is four years. Before the expiration of the term
12 of an appointed member, the [*Governor*] **appointing authority** shall appoint a successor whose term
13 begins on October 1. An appointed member is eligible for reappointment. If there is a vacancy in
14 an appointed position for any cause, the Governor shall make an appointment to become immediately
15 effective for the unexpired term.

16 “(4) The appointments by the Governor to the state commission are subject to confirmation by
17 the Senate in the manner prescribed in ORS 171.562 and 171.565.

18 “(5) An appointed member of the state commission who is not a member of the Legislative As-
19 sembly is entitled to compensation and expenses as provided in ORS 292.495. Members who are
20 members of the Legislative Assembly shall be paid compensation and expense reimbursement as
21 provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly.

22 “(6)(a) The majority of the members of the state commission shall be laypersons.

23 “(b) As used in this subsection, ‘layperson’ means a person whose primary income is not derived
24 from either offering direct service to children and youth or being an administrator for a program for
25 children and youth.

26 “**SECTION 3.** ORS 417.735 is amended to read:

27 “417.735. (1) The State Commission on Children and Families shall promote the wellness of
28 children and families at the state level and shall act in accordance with the principles, character-
29 istics and values identified in ORS 417.708 to 417.725. The state commission shall provide no direct
30 services.

31 “(2)(a) Funds for local commissions shall consist of payments from moneys appropriated for local
32 commissions to the State Commission on Children and Families by the Legislative Assembly. The
33 state commission shall develop an equitable formula for the distribution of funds to counties or re-
34 gions for services for children and families, and a minimum annual grant shall be provided to each
35 county or region. **The state commission shall distribute a minimum of 95 percent of all funds**
36 **appropriated to and received by the state commission to local commissions.**

37 “(b) The state commission shall provide technical assistance and research-based information to
38 local commissions to support the development of county goals, performance measures and outcomes
39 for services and programs.

40 “(c) The state commission may withhold funds from a local commission if services and programs
41 funded through the local commission do not meet appropriate performance measures and outcomes.

42 “(3) The state commission shall **support local commissions in their responsibilities under**
43 **ORS 417.760 and 417.775. In performing the duties under this subsection, the state commis-**
44 **sion may:**

45 “(a) Set guidelines for the planning, coordination and delivery of services by local commissions

1 in partnership with other planning bodies and agencies providing services for children and families.
2 The guidelines shall be consistent with the key elements of the service system developed and im-
3 plemented under ORS 417.705 to 417.801. In conjunction with other planning bodies and agencies
4 providing social supports, the state commission shall use the local coordinated comprehensive plans
5 to advise agencies, the Legislative Assembly and the Governor;

6 “(b) Advise the Legislative Assembly and the Governor concerning possible solutions to prob-
7 lems facing children and families;

8 “(c) In consultation with other agencies, identify high-level and intermediate outcomes relating
9 to children and families and monitor the progress of local coordinated comprehensive plans in
10 meeting intermediate outcome targets;

11 “(d) Encourage the development of innovative projects, based on proven practices of effective-
12 ness, that benefit children and families;

13 “(e) Ensure that all services for children and families are integrated and evaluated according
14 to their outcomes;

15 “(f) Compile, analyze and distribute information that informs and supports statewide coordinated
16 planning;

17 “(g) Establish a uniform system of reporting and collecting statistical data from counties and
18 other agencies serving children and families;

19 “(h) Provide a process whereby the Department of Human Services, Oregon Health Authority,
20 Juvenile Crime Prevention Advisory Committee, Oregon Youth Authority, Department of Education,
21 Department of Community Colleges and Workforce Development, Employment Department, Housing
22 and Community Services Department and Oregon Business Development Department review all
23 findings from data collected by the local commissions through the local coordinated comprehensive
24 plans. The information gathered in this review shall be considered by those agencies in designing
25 future economic resources and services and in the coordination of services;

26 “(i) Make recommendations to the Commission for Child Care for the development of the state’s
27 biennial child care plan; and

28 “(j) Communicate information and policy advice on current research and proven practices of
29 effectiveness, from both inside and outside the state, including successful local strategies, to local
30 commissions, the Governor, the Legislative Assembly, state agencies and the public. The information
31 shall include progress in meeting intermediate outcome targets identified in the local coordinated
32 comprehensive plans.

33 “(4)(a) The state commission [*shall*] **may** develop a review and approval process for local coor-
34 dinated comprehensive plans that includes:

35 “(A) A requirement that the local plan has been approved by the board or boards of county
36 commissioners;

37 “(B) Assurance that the local plan meets essential criteria and approval required by appropriate
38 entities and meets appropriate systems and planning connections; and

39 “(C) Review of state expenditures of resources allocated to the local commissions on children
40 and families.

41 “(b) The state commission shall develop the process under this subsection in consultation with
42 other entities involved in the review and approval process.

43 “(c) The state commission shall act on any waiver request from a local commission within 90
44 days after receipt of the request.

45 “(d) The state commission may disapprove a local plan for failure to address the elements de-

1 scribed in paragraph (a) of this subsection within 90 days after receipt of the request.

2 “(5) The state commission, in coordination with the local commissions on children and families,
3 shall:

4 “(a) Assist the local commissions in the development and implementation of performance meas-
5 ures and outcomes for evaluating services at the local level;

6 “(b) Monitor the progress in meeting intermediate outcome targets in the local coordinated
7 comprehensive plans;

8 “(c) In conjunction with the Department of Human Services and using the staff resources and
9 other resources of the state commission, educate, inform and provide technical assistance to local
10 commissions, including but not limited to technical assistance with:

11 “(A) Federal and state laws, regulations and rules, and changes therein, governing the use of
12 federal and state funds;

13 “(B) Facilitation;

14 “(C) Planning;

15 “(D) Policy development;

16 “(E) Proven practices of effectiveness;

17 “(F) Local systems development;

18 “(G) Community problem solving and mobilization; and

19 “(H) Other services, as appropriate;

20 “(d) Conduct research and disseminate information to local commissions on children and fami-
21 lies;

22 “(e) Negotiate federal waivers in consultation with the Department of Human Services; and

23 “(f) Develop a process for reviewing requests for waivers from requirements of the state com-
24 mission. Requests for waivers shall be granted or denied as a part of the approval process for a local
25 coordinated comprehensive plan. The state commission shall not grant a request for waiver that al-
26 lows funds to be used for any purpose other than early childhood prevention, intervention and
27 treatment programs.

28 “(6) The state commission shall employ a staff director who shall be responsible for hiring and
29 supervising any additional personnel necessary to assist the state commission in performing its du-
30 ties. The staff director shall be responsible for management functions of the state commission sub-
31 ject to policy direction by the state commission.

32 “(7) To the extent that federal funding is not jeopardized, the State Commission on Children and
33 Families shall enter into an interagency agreement with the Department of Human Services in
34 which they agree on a system to:

35 “(a) Distribute all Title XX Social Services Block Grant funds;

36 “(b) Ensure that federal and state requirements are met for federal funds administered by the
37 state commission; and

38 “(c) Carry out the necessary auditing, monitoring and information requirements for federal funds
39 distributed by the state commission.

40 “(8) In addition to the authority under subsection (5)(e) of this section, the state commission may
41 direct the Department of Human Services or the appropriate state department providing services for
42 children and families to negotiate federal waivers. If the Department of Human Services or any
43 other state agency does not pursue a federal waiver recommended by the state commission, the state
44 commission may ask the Governor to direct the Department of Human Services or other state
45 agency to apply for and negotiate the waiver.

1 “(9) If the Department of Human Services or any other state agency refuses to distribute state
2 or federal funds as requested by the state commission, the state commission may ask the Governor
3 to direct the Department of Human Services or other state agency to distribute the funds.

4 “(10) The programs shall be funded as fully as possible by Title XX of the federal Social Security
5 Act, consistent with the terms and conditions of the block grant program and the local coordinated
6 comprehensive plans that reflect community priorities established by the local planning process.

7 “(11) In conjunction with the Department of Human Services, the state commission, as soon as
8 possible, shall develop a plan to re-engineer and integrate the data processing systems related to
9 children’s programs with the objective of making management information more accessible. The
10 state commission shall make regular presentations to the Joint Legislative Committee on Informa-
11 tion Management and Technology on its progress in developing and implementing the plan.

12 “(12) Before each regular session of the Legislative Assembly, the state commission shall report,
13 to the Governor and to the appropriate joint interim committee as determined by the Speaker of the
14 House of Representatives and the President of the Senate, the following:

15 “(a) Any additional proposals contained in ‘A Positive Future for Oregon’s Children and
16 Families’ by the 1991-1992 Oregon Children’s Care Team Interim Task Force that should be under-
17 taken;

18 “(b) The status in all counties of local service systems related to the health and wellness of
19 children and the adequacy of financial resources to deliver services;

20 “(c) The progress in achieving desired outcomes, including but not limited to the statewide
21 guidelines set by the state commission under ORS 417.710 (1);

22 “(d) Barriers to achieving intermediate and high-level outcome targets as identified in local co-
23 ordinated comprehensive plans;

24 “(e) Proposed solutions to barriers identified under paragraph (d) of this subsection, including
25 proven, effective and innovative strategies; and

26 “(f) County and community mobilization to increase public awareness and involvement and
27 funding of community determined priorities.

28 “(13)(a) The state commission may solicit, accept and receive federal moneys or moneys or other
29 property from persons or corporations, public or private, for the purpose of carrying out the pro-
30 visions of ORS 417.705 to 417.801 and 419A.170.

31 “(b) All federal moneys collected or received under paragraph (a) of this subsection shall be
32 accepted and transferred or expended by the state commission upon such terms and conditions as
33 are prescribed by the federal government.

34 “(c) All moneys and other property accepted by the state commission under this subsection shall
35 be transferred, expended or used upon such terms and conditions as are prescribed by the donor in
36 a manner consistent with applicable law.

37 “(14) The state commission shall:

38 “(a) Implement the recommendations of the Juvenile Crime Prevention Advisory Committee, as
39 approved by the Governor; and

40 “(b) In cooperation with other state and federal agencies, coordinate technical assistance efforts
41 on a statewide and county-specific basis relating to juvenile crime prevention programs and services.

42 “(15) The state commission may contract with local governments or other entities to administer
43 juvenile crime prevention programs and services. In accordance with the applicable provisions of
44 ORS chapter 183, the state commission may adopt rules necessary for the administration of juvenile
45 crime prevention programs and services.

1 “**SECTION 4.** ORS 417.775 is amended to read:

2 “417.775. (1) [*Under the direction of*] **As directed by** the board or boards of county commission-
3 ers, and [*in conjunction with*] **as provided in** the guidelines set by the State Commission on Children
4 and Families, [*the local commission on children and families shall promote wellness for children of all*
5 *ages and their families in the county or region, if the families have given their express written consent,*
6 *mobilize communities and develop policy and oversee the implementation of a local coordinated com-*
7 *prehensive plan described in this section*] **the main purposes of local commissions on children and**
8 **families include preventing child abuse and neglect by helping communities stabilize and**
9 **strengthen families, reducing risk factors for failure in school and responding to locally**
10 **identified needs of children and families. Local commissions shall accomplish this work**
11 **through coordinating with relevant state and community agencies and organizations and**
12 **mobilizing all sectors of the community. Local commissions may prioritize problems that**
13 **have multiple causes and that require multiple community-based partners to resolve. The**
14 **efforts of local commissions must achieve measurable outcomes that can be measured in a**
15 **consistent manner statewide.** A local commission shall:

16 “(a) Inform and involve citizens;

17 “(b) Identify and map the range of resources in the community;

18 “(c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or
19 younger, including prenatal, and their families;

20 “(d) Develop local policies, priorities, outcomes and targets;

21 “(e) Prioritize activities identified in the local plan and mobilize the community to take action;

22 “(f) Prioritize the use of nondedicated resources;

23 “(g) Monitor implementation of the local plan; and

24 “(h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are
25 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-
26 comes.

27 “(2)(a) A local commission may not provide direct services for children and their families **unless**
28 **directed to do so by the board or boards of county commissioners.**

29 “(b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct
30 services for children and their families for a period not to exceed six months if:

31 “(A)(i) The local commission determines that there is an emergency;

32 “(ii) A provider of services discontinues providing the services in the county or region; or

33 “(iii) No provider is able to offer the services in the county or region; and

34 “(B) The family has given its express written consent.

35 “(3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,
36 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall
37 be in conjunction with other coordinating bodies for services for children and their families and
38 shall include representatives of education, mental health services, developmental disability services,
39 alcohol and drug treatment programs, public health programs, local child care resource and referral
40 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,
41 local governments, faith-based organizations, businesses, families, youth and the local community.
42 The process shall include populations representing the diversity of the county or region.

43 “(4) Through the process described in subsection (3) of this section, the local commission
44 [*shall*] **may** coordinate the development of a single local plan for coordinating community programs,
45 strategies and services for children [*who are*] **from the prenatal stage through** 18 years of age

1 [or younger, including prenatal], and their families, among community groups, government agencies,
2 private providers and other parties. The local plan shall be a comprehensive area-wide service de-
3 livery plan for all services to be provided for children and their families in the county or region, if
4 the families have given their express written consent. The local plan shall be designed to achieve
5 state and county or regional outcomes based on state policies and guidelines and to maintain a level
6 of services consistent with state and federal requirements.

7 “(5) The local commission shall prepare the local coordinated comprehensive plan and applica-
8 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-
9 posed service delivery systems shall be submitted to the board or boards of county commissioners
10 for approval prior to submission to the state commission. The local plan shall be based on identify-
11 ing the most effective service delivery system allowing for the continuation of current public and
12 private programs where appropriate. The local plan shall address needs, strengths and assets of all
13 children, their families and communities, including those children and their families at highest risk.

14 “(6) Subject to the availability of funds:

15 “(a) The local coordinated comprehensive plan shall include:

16 “(A) Identification of ways to connect all state and local planning processes related to services
17 for children and their families into the local coordinated comprehensive plan to create positive
18 outcomes for children and their families; and

19 “(B) Provisions for a continuum of social supports at the community level for children from the
20 prenatal stage through 18 years of age, and their families, that takes into account areas of need,
21 service overlap, asset building and community strengths as outlined in ORS 417.305 (2).

22 “(b) The local coordinated comprehensive plan shall reference:

23 “(A) A voluntary local early childhood system plan created pursuant to ORS 417.777;

24 “(B) Local alcohol and other drug prevention and treatment plans developed pursuant to section
25 1, chapter 856, Oregon Laws 2009;

26 “(C) Local service plans, developed pursuant to ORS 430.630, for the delivery of mental health
27 services for children and their families;

28 “(D) Local public health plans, developed pursuant to ORS 431.385, that include public health
29 issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen preg-
30 nancy, maternal and child health care and suicide prevention; and

31 “(E) The local high-risk juvenile crime prevention plan developed pursuant to ORS 417.855.

32 “(7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to
33 support the local commission on children and families. The list shall indicate the status of each po-
34 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-
35 nated comprehensive plan. The county board or boards of commissioners shall be responsible for
36 providing the level of staff support detailed in the local plan and shall ensure that funds provided
37 for these purposes are used to carry out the local plan.

38 “(8) The local coordinated comprehensive plan shall:

39 “(a) Improve results by addressing the needs, strengths and assets of all children, their families
40 and communities in the county or region, including those children and their families at highest risk;

41 “(b) Improve results by identifying the methods that work best at the state and local levels to
42 coordinate resources, reduce paperwork and simplify processes, including data gathering and plan-
43 ning;

44 “(c) Be based on local, state and federal resources;

45 “(d) Be based on proven practices of effectiveness for the specific community;

1 “(e) Contribute to a voluntary statewide system of formal and informal services and supports
2 that is provided at the community level, that is integrated in local communities and that promotes
3 improved outcomes for Oregon’s children;

4 “(f) Be presented to the citizens in each county for public review, comment and adjustment;

5 “(g) Be designed to achieve outcomes based on research-identified proven practices of effective-
6 ness; and

7 “(h) Address other issues, local needs or children and family support areas as determined by the
8 local commission pursuant to ORS 417.735.

9 “(9) In developing the local coordinated comprehensive plan, the local commission shall:

10 “(a) Secure active participation pursuant to subsection (3) of this section;

11 “(b) Provide for community participation in the planning process, including media notification;

12 “(c) Conduct an assessment of the community that identifies needs and strengths;

13 “(d) Identify opportunities for service integration; and

14 “(e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of
15 a county or region.

16 “(10) The state commission may disapprove the part of the local coordinated comprehensive plan
17 relating to the planning process required by this section and the voluntary local early childhood
18 system plan.

19 “(11)(a) The state commission may disapprove the planning process and the voluntary local early
20 childhood system plan only upon making specific findings that the local plan substantially fails to
21 conform to the principles, characteristics and values identified in ORS 417.708 to 417.725 and 417.735
22 (4) or that the local plan fails to conform with the planning process requirements of this section.
23 The staff of the state commission shall assist the local commission in remedying the deficiencies in
24 the planning process or the voluntary local early childhood system plan. The state commission shall
25 set a date by which any deficient portions of the planning process or the voluntary local early
26 childhood system plan must be revised and resubmitted to the state commission by the local com-
27 mission.

28 “(b) The state commission does not have approval authority over the following service plans
29 referenced in the local coordinated comprehensive plan:

30 “(A) The local alcohol and other drug prevention and treatment plans developed pursuant to
31 section 1, chapter 856, Oregon Laws 2009;

32 “(B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental
33 health services;

34 “(C) Local public health plans developed pursuant to ORS 431.385; and

35 “(D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.

36 “(12) The state commission, the Alcohol and Drug Policy Commission, the Department of Human
37 Services and the Juvenile Crime Prevention Advisory Committee may jointly approve the community
38 plan that is part of the local coordinated comprehensive plan, but may not jointly approve the ser-
39 vice plans that are referenced in the local plan. If the community plan is disapproved in whole, the
40 agencies shall identify with particularity the manner in which the community plan is deficient and
41 the service plans may be implemented. If only part of the community plan is disapproved, the re-
42 mainder of the community plan and the service plans may be implemented. The staff of the agencies
43 shall assist the local commission in remedying the disapproved portions of the community plan. The
44 agencies shall jointly set a date by which the deficient portions of the community plan shall be re-
45 vised and resubmitted to the agencies by the local commission. In reviewing the community plan,

1 the agencies shall consider the impact of state and local budget reductions on the community plan.

2 “(13) If a local commission determines that the needs of the county or region it serves differ
3 from those identified by the state commission, it may ask the state commission to waive specific
4 requirements in its list of children’s support areas. The process for granting waivers shall be de-
5 veloped by the state commission prior to the start of the review and approval process for the local
6 coordinated comprehensive plan described in ORS 417.735 (4) and shall be based primarily on a de-
7 termination of whether the absence of a waiver would prevent the local commission from best
8 meeting the needs of the county or region.

9 “(14) From time to time, the local commission may amend the local coordinated comprehensive
10 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-
11 mission must amend the local plan to reflect current community needs, strengths, goals, priorities
12 and strategies. Amendments become effective upon approval of the board or boards of county com-
13 missioners and the state commission.

14 “(15) The local commission shall keep an official record of any amendments to the local coordi-
15 nated comprehensive plan under subsection (14) of this section.

16 “(16) The local commission shall provide an opportunity for public and private contractors to
17 review the components of the local coordinated comprehensive plan and any amendments to the lo-
18 cal plan, to receive notice of any component that the county or counties intend to provide through
19 a county agency and to comment publicly to the board or boards of county commissioners if they
20 disagree with the proposed service delivery plan.

21 “**SECTION 5.** ORS 417.775, as amended by section 17, chapter 856, Oregon Laws 2009, is
22 amended to read:

23 “417.775. (1) [*Under the direction of*] **As directed by** the board or boards of county commission-
24 ers, and [*in conjunction with*] **as provided in** the guidelines set by the State Commission on Children
25 and Families, [*the local commission on children and families shall promote wellness for children of all*
26 *ages and their families in the county or region, if the families have given their express written consent,*
27 *mobilize communities and develop policy and oversee the implementation of a local coordinated com-*
28 *prehensive plan described in this section*] **the main purposes of local commissions on children and**
29 **families include preventing child abuse and neglect by helping communities stabilize and**
30 **strengthen families, reducing risk factors for failure in school and responding to locally**
31 **identified needs of children and families. Local commissions shall accomplish this work**
32 **through coordinating with relevant state and community agencies and organizations and**
33 **mobilizing all sectors of the community. Local commissions may prioritize problems that**
34 **have multiple causes and that require multiple community-based partners to resolve. The**
35 **efforts of local commissions must achieve measurable outcomes that can be measured in a**
36 **consistent manner statewide.** A local commission shall:

37 “(a) Inform and involve citizens;

38 “(b) Identify and map the range of resources in the community;

39 “(c) Plan, advocate and fund research-based initiatives for children who are 18 years of age or
40 younger, including prenatal, and their families;

41 “(d) Develop local policies, priorities, outcomes and targets;

42 “(e) Prioritize activities identified in the local plan and mobilize the community to take action;

43 “(f) Prioritize the use of nondedicated resources;

44 “(g) Monitor implementation of the local plan; and

45 “(h) Monitor and evaluate the intermediate outcome targets identified in the local plan that are

1 reviewed under ORS 417.797, and report on the progress in addressing priorities and achieving out-
2 comes.

3 “(2)(a) A local commission may not provide direct services for children and their families **unless**
4 **directed to do so by the board or boards of county commissioners.**

5 “(b) Notwithstanding paragraph (a) of this subsection, a local commission may provide direct
6 services for children and their families for a period not to exceed six months if:

7 “(A)(i) The local commission determines that there is an emergency;

8 “(ii) A provider of services discontinues providing the services in the county or region; or

9 “(iii) No provider is able to offer the services in the county or region; and

10 “(B) The family has given its express written consent.

11 “(3) The local commission shall lead and coordinate a process to assess needs, strengths, goals,
12 priorities and strategies, and identify county or regional outcomes to be achieved. The process shall
13 be in conjunction with other coordinating bodies for services for children and their families and
14 shall include representatives of education, mental health services, developmental disability services,
15 alcohol and drug treatment programs, public health programs, local child care resource and referral
16 agencies, child care providers, law enforcement and corrections agencies, private nonprofit entities,
17 local governments, faith-based organizations, businesses, families, youth and the local community.
18 The process shall include populations representing the diversity of the county or region.

19 “(4) Through the process described in subsection (3) of this section, the local commission
20 [shall] **may** coordinate the development of a single local plan for coordinating community programs,
21 strategies and services for children [who are] **from the prenatal stage through** 18 years of age
22 [or younger, including prenatal], and their families, among community groups, government agencies,
23 private providers and other parties. The local plan shall be a comprehensive area-wide service de-
24 livery plan for all services to be provided for children and their families in the county or region, if
25 the families have given their express written consent. The local plan shall be designed to achieve
26 state and county or regional outcomes based on state policies and guidelines and to maintain a level
27 of services consistent with state and federal requirements.

28 “(5) The local commission shall prepare the local coordinated comprehensive plan and applica-
29 tions for funds to implement ORS 417.705 to 417.801 and 419A.170. The local plan, policies and pro-
30 posed service delivery systems shall be submitted to the board or boards of county commissioners
31 for approval prior to submission to the state commission. The local plan shall be based on identify-
32 ing the most effective service delivery system allowing for the continuation of current public and
33 private programs where appropriate. The local plan shall address needs, strengths and assets of all
34 children, their families and communities, including those children and their families at highest risk.

35 “(6) Subject to the availability of funds:

36 “(a) The local coordinated comprehensive plan shall include:

37 “(A) Identification of ways to connect all state and local planning processes related to services
38 for children and their families into the local coordinated comprehensive plan to create positive
39 outcomes for children and their families; and

40 “(B) Provisions for a continuum of social supports at the community level for children from the
41 prenatal stage through 18 years of age, and their families, that takes into account areas of need,
42 service overlap, asset building and community strengths as outlined in ORS 417.305 (2).

43 “(b) The local coordinated comprehensive plan shall reference:

44 “(A) A voluntary local early childhood system plan created pursuant to ORS 417.777;

45 “(B) Local alcohol and other drug prevention and treatment plans developed pursuant to section

1 1, chapter 856, Oregon Laws 2009;

2 “(C) Local service plans, developed pursuant to ORS 430.630, for the delivery of mental health
3 services for children and their families;

4 “(D) Local public health plans, developed pursuant to ORS 431.385, that include public health
5 issues such as prenatal care, immunizations, well-child checkups, tobacco use, nutrition, teen preg-
6 nancy, maternal and child health care and suicide prevention; and

7 “(E) The local high-risk juvenile crime prevention plan developed pursuant to ORS 417.855.

8 “(7) The local coordinated comprehensive plan shall include a list of staff positions budgeted to
9 support the local commission on children and families. The list shall indicate the status of each po-
10 sition as a percentage of full-time equivalency dedicated to the implementation of the local coordi-
11 nated comprehensive plan. The county board or boards of commissioners shall be responsible for
12 providing the level of staff support detailed in the local plan and shall ensure that funds provided
13 for these purposes are used to carry out the local plan.

14 “(8) The local coordinated comprehensive plan shall:

15 “(a) Improve results by addressing the needs, strengths and assets of all children, their families
16 and communities in the county or region, including those children and their families at highest risk;

17 “(b) Improve results by identifying the methods that work best at the state and local levels to
18 coordinate resources, reduce paperwork and simplify processes, including data gathering and plan-
19 ning;

20 “(c) Be based on local, state and federal resources;

21 “(d) Be based on proven practices of effectiveness for the specific community;

22 “(e) Contribute to a voluntary statewide system of formal and informal services and supports
23 that is provided at the community level, that is integrated in local communities and that promotes
24 improved outcomes for Oregon’s children;

25 “(f) Be presented to the citizens in each county for public review, comment and adjustment;

26 “(g) Be designed to achieve outcomes based on research-identified proven practices of effective-
27 ness; and

28 “(h) Address other issues, local needs or children and family support areas as determined by the
29 local commission pursuant to ORS 417.735.

30 “(9) In developing the local coordinated comprehensive plan, the local commission shall:

31 “(a) Secure active participation pursuant to subsection (3) of this section;

32 “(b) Provide for community participation in the planning process, including media notification;

33 “(c) Conduct an assessment of the community that identifies needs and strengths;

34 “(d) Identify opportunities for service integration; and

35 “(e) Develop a local coordinated comprehensive plan and budget to meet the priority needs of
36 a county or region.

37 “(10) The state commission may disapprove the part of the local coordinated comprehensive plan
38 relating to the planning process required by this section and the voluntary local early childhood
39 system plan.

40 “(11)(a) The state commission may disapprove the planning process and the voluntary local early
41 childhood system plan only upon making specific findings that the local plan substantially fails to
42 conform to the principles, characteristics and values identified in ORS 417.708 to 417.725 and 417.735
43 (4) or that the local plan fails to conform with the planning process requirements of this section.
44 The staff of the state commission shall assist the local commission in remedying the deficiencies in
45 the planning process or the voluntary local early childhood system plan. The state commission shall

1 set a date by which any deficient portions of the planning process or the voluntary local early
2 childhood system plan must be revised and resubmitted to the state commission by the local com-
3 mission.

4 “(b) The state commission does not have approval authority over the following service plans
5 referenced in the local coordinated comprehensive plan:

6 “(A) The local alcohol and other drug prevention and treatment plans developed pursuant to
7 section 1, chapter 856, Oregon Laws 2009;

8 “(B) Local service plans, developed pursuant to ORS 430.630, relating to the delivery of mental
9 health services;

10 “(C) Local public health plans developed pursuant to ORS 431.385; and

11 “(D) Local high-risk juvenile crime prevention plans developed pursuant to ORS 417.855.

12 “(12) The state commission, the Department of Human Services and the Juvenile Crime Pre-
13 vention Advisory Committee may jointly approve the community plan that is part of the local coord-
14 inated comprehensive plan, but may not jointly approve the service plans that are referenced in the
15 local plan. If the community plan is disapproved in whole, the agencies shall identify with
16 particularity the manner in which the community plan is deficient and the service plans may be
17 implemented. If only part of the community plan is disapproved, the remainder of the community
18 plan and the service plans may be implemented. The staff of the agencies shall assist the local
19 commission in remedying the disapproved portions of the community plan. The agencies shall jointly
20 set a date by which the deficient portions of the community plan shall be revised and resubmitted
21 to the agencies by the local commission. In reviewing the community plan, the agencies shall con-
22 sider the impact of state and local budget reductions on the community plan.

23 “(13) If a local commission determines that the needs of the county or region it serves differ
24 from those identified by the state commission, it may ask the state commission to waive specific
25 requirements in its list of children’s support areas. The process for granting waivers shall be de-
26 veloped by the state commission prior to the start of the review and approval process for the local
27 coordinated comprehensive plan described in ORS 417.735 (4) and shall be based primarily on a de-
28 termination of whether the absence of a waiver would prevent the local commission from best
29 meeting the needs of the county or region.

30 “(14) From time to time, the local commission may amend the local coordinated comprehensive
31 plan and applications for funds to implement ORS 417.705 to 417.801 and 419A.170. The local com-
32 mission must amend the local plan to reflect current community needs, strengths, goals, priorities
33 and strategies. Amendments become effective upon approval of the board or boards of county com-
34 missioners and the state commission.

35 “(15) The local commission shall keep an official record of any amendments to the local coordi-
36 nated comprehensive plan under subsection (14) of this section.

37 “(16) The local commission shall provide an opportunity for public and private contractors to
38 review the components of the local coordinated comprehensive plan and any amendments to the lo-
39 cal plan, to receive notice of any component that the county or counties intend to provide through
40 a county agency and to comment publicly to the board or boards of county commissioners if they
41 disagree with the proposed service delivery plan.”.

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