



Oregon

John A. Kitzhaber, M.D., Governor

Department of Human Services

500 Summer Street NE
Salem, OR 97351



DATE: April 24, 2013

TO: The Honorable Floyd Prozanski, Chair
Senate Judiciary Committee

FROM: Harry Gilmore
Interstate Compact and Contracts Unit
Department of Human Services

SUBJECT: House Bill 2053

Chair Prozanski and members of the committee, I am Harry Gilmore, manager of the Interstate Compact and Contracts Unit at the Department of Human Services. I'm here to testify on in support of House Bill 2053.

Passage of House Bill 2053 will help ensure that Oregon Tribes can complete the criminal background checks needed to effectively screen relative care-givers and other prospective foster families who seek approval to care for children who have been removed from their homes due to abuse or neglect. Effective and thorough criminal background checks on prospective care-givers are necessary to ensure the safety of vulnerable children. Federal law also requires completion of a fingerprint-based nationwide criminal background check on all prospective relative and non-relative foster parents.

ORS 181.538 currently provides Oregon Tribes with the authority to run criminal background checks through the State Police for the purpose of screening individuals seeking employment in various capacities, including those who seek employment in tribal gaming facilities, tribal law enforcement or tribal social services. The current statute does not specifically authorize tribes to run criminal background checks on prospective foster families. Passage of this bill will add existing and prospective foster parents, as well as others who live in their homes, to the list of individuals a tribe is authorized to run criminal background checks on.

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Passage of House Bill 2053 will also make it possible for the Oregon Department of Human Services to run criminal background checks through the State Police on behalf of tribes for the purpose of screening prospective foster families. In meetings with Tribes during the formulation of the Legislative Concept that led to introduction of HB 2053 some Tribes indicated that they would be inclined to rely on the Department's mechanism for conducting background checks if it were possible to do so. ORS 181.537 already provides DHS with the authority to run criminal background checks on behalf of private and public entities that provide care to the elderly, children and the disabled, but the law doesn't specifically authorize DHS to run the same kind of background checks on behalf of tribes for the purpose of screening prospective tribal foster families. Passage of this bill will make it possible for tribes to rely on DHS to run these necessary checks.

The ability to run thorough and timely criminal background checks is critical for ensuring the safety and well-being of vulnerable children placed with tribal relative care-givers or in tribal non-relative foster homes. Passage of this bill will provide Oregon Tribes with the same means effectively and efficiently screening care-givers that the Department of Human Services has benefitted from for many years.

Chair Tomei and members of the committee, thank you for this opportunity to testify in support of House Bill 2053. I'm available to answer questions or to provide additional information at your request. Here is my contact information.

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