

# House Bill 3445

Sponsored by Representatives GILLIAM, GALLEGOS (at the request of Catholic Community Services)

## 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**.

Requires Department of Human Services to determine whether there are alternative placement options for child or ward in department's custody before committing child or ward to residential care or residential treatment.

Directs department to use state and federal funds designated for residential care or residential treatment for certain services when implementing alternative placement option.

## A BILL FOR AN ACT

1  
2 Relating to placement of children in custody of the Department of Human Services.

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

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 418.**

5 **SECTION 2. (1) As used in this section:**

6 (a) "Child care center" has the meaning given that term in ORS 419A.004.

7 (b) "Child-caring agency" has the meaning given that term in ORS 418.205.

8 (c) "Child-caring facility" has the meaning given that term in ORS 418.950.

9 (d) "Residential care" or "residential treatment" means 24-hour care, supervision or  
10 treatment outside of the home of a child or ward who is in the legal custody of the Depart-  
11 ment of Human Services.

12 (2) When a child or ward is placed in the legal custody of the department for care,  
13 placement and supervision under ORS 419B.337 or other law, before the department places  
14 a child or ward in residential care with a child care center or a child-caring agency that  
15 provides residential care or residential treatment or in substitute residential care with a  
16 child-caring facility, the department shall determine whether there are alternative options  
17 that will make it possible for:

18 (a) The child or ward to remain in the family home or in a current foster care placement  
19 under ORS 418.625 to 418.645;

20 (b) The family or foster family to remain intact;

21 (c) Child-parent or child-foster-parent bonds to be preserved;

22 (d) The child or ward to obtain community or extended family support; or

23 (e) The child or ward to otherwise receive care, services and supervision without com-  
24 mitment to residential care.

25 (3) When the department determines there are alternative placement options other than  
26 commitment to residential care or residential treatment, for a child or ward, the department  
27 shall implement the alternative placement option. In implementing the alternative placement  
28 option, the department shall use any available state and federal funds that are designated  
29 to be used for the provision of residential care or residential treatment for children or wards  
30 placed in the department's custody, for one or more of the following services:

**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       **(a) Mentoring;**
- 2       **(b) Tutoring;**
- 3       **(c) One-on-one supervision;**
- 4       **(d) Respite care;**
- 5       **(e) Locating immediate and extended family members;**
- 6       **(f) 24-hour, daily on-call caregiver support;**
- 7       **(g) Skill building;**
- 8       **(h) Counseling;**
- 9       **(i) Parent education and training;**
- 10      **(j) Foster parent education and training;**
- 11      **(k) Establishing support systems with neighbors; and**
- 12      **(L) Family-centered interventions, including but not limited to drug, alcohol and mental**
- 13 **health treatment.**

14       **(4) The department shall adopt rules to implement the provisions of this section.**

15       **(5) The department shall report annually to interim committees of the Legislative As-**  
16 **sembly with subject matter jurisdiction over child welfare and juvenile dependency regarding**  
17 **the amount and use of funds pursuant to subsection (3) of this section.**

18       **SECTION 3.** **Section 2 of this 2013 Act applies to children or wards placed in the legal**  
19 **custody of the Department of Human Services for care, placement and supervision on or**  
20 **after the effective date of this 2013 Act.**

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