

**TESTIMONY ON HOUSE BILL 2908
BEFORE THE SENATE JUDICIARY COMMITTEE
MAY 12, 2015**

PRESENTED BY MEGAN E. HASSEN, OREGON JUDICIAL DEPARTMENT

Chair Prozanski and Members of the Committee:

My name is Megan Hassen and I am a law and policy analyst in the Oregon Judicial Department. I participated in a work group that studied state implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act through revision of relevant sections of the juvenile code. Compliance with this law is necessary for Oregon to continue to receive federal reimbursement for eligible foster children. The work group included representatives from the Judiciary Committee, Department of Human Services, Department of Justice, Office of Public Defense Services, and Youth, Rights and Justice. I am here to provide background information from the work group on HB 2908.

I have included a list of the work group members and a section-by-section analysis of the bill in the attachment titled, "Oregon Implementation of the Preventing Sex Trafficking and Strengthening Families Act".

House Bill 2908 makes four main changes to Oregon law:

(1) Permanency Planning

Under the bill, the court may place children in a permanency plan of "Another Planned Permanent Living Arrangement (APPLA)" only if they are age 16 and up, consistent with the federal law. APPLA plans generally are provided for children in permanent foster care, who are receiving an independent living housing subsidy, or who are placed in a psychiatric residential facility, developmental disabilities placement, or residential treatment facility. Since current law does not restrict the plan's use by the child's age, many children under age 16 are currently placed in APPLA plans. Under the new federal law and HB 2908, courts will need to review these cases and designate another permanency plan for children under age 16.

HB 2908 amends the permanency hearing statute to clarify that "Placement with a Fit and Willing Relative" is, as allowed under the federal law, a legally recognized permanency plan in Oregon. This change makes clear that the court may designate this plan for cases in which it is unsafe for the child to be returned home to a parent and the permanency plans of adoption and guardianship are not appropriate.

(2) Extracurricular, enrichment, cultural and social activities

The bill requires the Department of Human Services to provide documentation to the court and the citizen review board about whether the child's foster parent is providing the child with regular, ongoing opportunities to engage in age-appropriate or developmentally appropriate activities. If the child is 16 years of age or older and in an APPLA plan, the court and the citizen

review board must make a finding during periodic reviews as to whether the child is in fact receiving regular ongoing opportunities to engage in appropriate activities.

(3) Transition Planning for children age 14 and up

The bill requires the Department of Human Services to ensure case plans address transition planning for children in foster care beginning at age 14 rather than age 16. Transition planning is designed to prepare children to live independently when they leave DHS care, by helping them learn life skills necessary for independence, as well as plan for housing, higher education, and getting a job. In addition, the bill requires the court to review the child's transition plan at each permanency hearing. The court must make findings as to the adequacy of the plan, whether appropriate services have been offered pursuant to the plan, and whether DHS involved the child in developing the plan.

(4) Foster children's rights

The new federal law requires case plans for children age 14 and older who are in foster care to include a document containing a list of the child's rights that has been explained to and signed by the child. House Bill 2908 integrates this requirement into the case planning statute (ORS 419B.343) and the Foster Children's Bill of Rights (ORS 418.201).

Thank you for the opportunity to provide this explanation.