

**PROPOSED AMENDMENTS TO
HOUSE BILL 2233**

1 In line 2 of the printed bill, after the semicolon insert “creating new
2 provisions; amending ORS 418.260;”.

3 Delete lines 5 through 18 and insert:

4 “(a) ‘Absent rate’ means the per diem reimbursement paid to a behavioral
5 rehabilitation services provider in order to hold a program placement while
6 a child placed with the provider is visiting a relative.

7 “(b) ‘Agency’ means the state agency that has custody of a child and
8 contracts to place the child with a behavioral rehabilitation services pro-
9 vider, including but not limited to the Oregon Health Authority, the De-
10 partment of Human Services and the Oregon Youth Authority.

11 “(c) ‘Behavioral rehabilitation services provider’ means a private child-
12 caring agency, as defined in ORS 418.205, that contracts with an agency to
13 provide residential care to children with psychosocial, emotional or behav-
14 ioral disorders.

15 “(2) If, upon a complaint or report of abuse made in accordance with ORS
16 418.260, an agency removes a child placed with a behavioral rehabilitation
17 services provider, the agency shall continue to reimburse the provider, at the
18 absent rate, for the care of the removed child until the investigation into the
19 complaint or report of abuse is completed and until either:

20 “(a) The removed child is returned to the placement; or

21 “(b) The placement of the removed child is replaced with another child
22 for whom a contract has been entered into for the provision of residential

1 care with the provider.

2 **“SECTION 2.** ORS 418.260 is amended to read:

3 “418.260. (1) If any abuses, derelictions or deficiencies are made known
4 to the Department of Human Services or its agents during their inspection
5 of any **public or private** child-caring agency or institution, or at any time
6 are reported to the department, the department shall at once carefully in-
7 vestigate the reports or rumors and take such action as the matters require.
8 **The investigation must be completed within 60 days from the date that**
9 **the department became aware of the abuses, derelictions or deficien-**
10 **cies or received the report. The department shall adopt rules to es-**
11 **tablish the kinds of possible determinations that may result from an**
12 **investigation under this section.**

13 **“(2)** If any abuses, derelictions or deficiencies are found in any state
14 child-caring institution or agency, they shall be reported at once in writing
15 to the responsible state agency. [*If any such abuses, derelictions or deficien-*
16 *cies are found in any other public institution, they shall be reported in like*
17 *manner to the proper authority or governing board.*]

18 **“(3)** [*In either case, if such*] **If the** abuses, derelictions or deficiencies
19 **described in subsections (1) and (2) of this section** are not corrected in
20 a reasonable time, the [*same shall*] **abuses, derelictions or deficiencies**
21 **must** be reported in writing to the legislature or the appropriate interim
22 committee if the legislature is not in session.

23 **“(4)** [*If any such*] Abuses, derelictions or deficiencies **that** are found in
24 any **public or** private child-caring agency[, *they*] shall be brought at once to
25 the attention of [*its*] **the agency’s** trustees or managers. If [*they*] **the**
26 **abuses, derelictions or deficiencies** are not corrected in a reasonable time,
27 the department shall suspend or revoke [*its*] **the department’s** approval of
28 [*such*] **the** agency. However, if the abuses, derelictions or deficiencies found
29 in a **public or** private child-caring agency are determined by the department
30 to be or threaten a serious danger to any child or to the public, the depart-

1 ment may immediately suspend or revoke the agency's license, subject to the
2 provisions of ORS 183.430.”.

3 In line 19, delete “2” and insert “3”.

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