

**A-Engrossed**  
**House Bill 4080**

Ordered by the House February 15  
Including House Amendments dated February 15

Sponsored by Representative STARK, Senator GELSER; Representatives DOHERTY, ESQUIVEL, EVANS, GILLIAM, GOMBERG, GORSEK, GREENLICK, HOLVEY, HOYLE, HUFFMAN, JOHNSON, KENY-GUYER, KRIEGER, LIVELY, MCKEOWN, NATHANSON, NOSSE, PARRISH, PILUSO, SPRENGER, WHISNANT, WILSON, Senators HANSELL, ROBLAN, SHIELDS (Presession filed.)

**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.

Establishes Governor's **Child Foster Care Advisory Commission** to advise Governor and Director of Human Services regarding foster care system in this state. Directs Governor to appoint 11 commission members. Specifies duties and powers of commission.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to child welfare; and declaring an emergency.

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

4 **SECTION 1. (1) The Governor's Child Foster Care Advisory Commission is established,**  
5 **consisting of 11 members appointed by the Governor.**

6 **(2) The term of office of each member of the commission is four years, but a member**  
7 **serves at the pleasure of the Governor. Before the expiration of the term of a member, the**  
8 **Governor shall appoint a successor whose term begins on July 1 next following. A member**  
9 **is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make**  
10 **an appointment to become immediately effective for the unexpired term.**

11 **(3) The appointment of each member of the commission is subject to confirmation by the**  
12 **Senate in the manner prescribed in ORS 171.562 and 171.565.**

13 **(4) A member of the commission is entitled to compensation and expenses as provided in**  
14 **ORS 292.495.**

15 **SECTION 2. Notwithstanding the term of office specified by section 1 of this 2016 Act,**  
16 **of the members first appointed to the Governor's Child Foster Care Advisory Commission:**

17 **(1) Three shall serve for a term ending June 30, 2017.**

18 **(2) Three shall serve for a term ending June 30, 2018.**

19 **(3) Three shall serve for a term ending June 30, 2019.**

20 **(4) Two shall serve for a term ending June 30, 2020.**

21 **SECTION 3. (1) The members of the Governor's Child Foster Care Advisory Commission**  
22 **must be residents of this state with experience and expertise in the foster care system in**  
23 **this state, including but not limited to:**

24 **(a) Foster and biological parents and children involved in the foster care system in this**  
25 **state;**

**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       **(b) Representatives of advocacy organizations that advocate regarding issues pertaining**  
2 **to the foster care system in this state;**

3       **(c) Representatives of public, private, profit and nonprofit agencies, organizations and**  
4 **other entities with experience in, interest in and responsibility for the provision of care to**  
5 **children in the foster care system in this state;**

6       **(d) Members of the Oregon State Bar with expertise in family and juvenile dependency**  
7 **law;**

8       **(e) Representatives of law enforcement agencies and district attorneys;**

9       **(f) Former employees of the Department of Human Services, Oregon Health Authority**  
10 **and Department of Justice who were responsible for the administration and oversight of the**  
11 **child welfare and foster care systems in this state, including but not limited to former**  
12 **caseworkers and former court appointed special advocates;**

13       **(g) Representatives of the Judicial Department in consultation with the Chief Justice of**  
14 **the Supreme Court; and**

15       **(h) Representatives of federally recognized Indian tribes in Oregon and organizations**  
16 **servicing Native Americans.**

17       **(2) The members of the commission shall select one of the commission's members to**  
18 **serve as chairperson and another to serve as vice chairperson, for terms and with duties and**  
19 **powers necessary for the performance of the functions of the offices as the commission de-**  
20 **termines.**

21       **(3) A majority of the members of the commission constitutes a quorum for the trans-**  
22 **action of business.**

23       **(4) The commission shall meet at least once every three months at a time and place de-**  
24 **termined by the chairperson of the commission. The commission also may meet at other**  
25 **times and places specified by the call of the chairperson or of a majority of the members of**  
26 **the commission.**

27       **(5) All agencies of state government, as defined in ORS 174.111, are directed to assist the**  
28 **commission in the performance of the commission's duties, powers and obligations and, to**  
29 **the extent permitted by laws relating to confidentiality, to furnish information that the**  
30 **members of the commission consider necessary in order to further the work of the com-**  
31 **mission. The assistance under this subsection may constitute the provision of staffing re-**  
32 **sources to the commission.**

33       **SECTION 4.** **(1) The Governor's Child Foster Care Advisory Commission shall advise the**  
34 **Governor and the Director of Human Services, and make recommendations for legislation,**  
35 **regarding the foster care system in this state. In addition, the commission shall study and**  
36 **report to the Governor and the director with respect to the following:**

37       **(a) Legal and policy issues pertaining to the foster care system in this state;**

38       **(b) Monitoring accountability in the foster care system by measuring outcomes, including**  
39 **but not limited to the following:**

40       **(A) Increasing the number of children committed to the custody of the Department of**  
41 **Human Services who are placed with family members, relatives or next of kin;**

42       **(B) Decreasing the number of placements in, and removals from, substitute care for in-**  
43 **dividual children committed to the custody of the department;**

44       **(C) Decreasing the length of time children spend in substitute care;**

45       **(D) Decreasing incidences of abuse, neglect and maltreatment for children in substitute**

1 care;

2 (E) Increasing the number of children who receive permanent placements within 24  
3 months of entering substitute care;

4 (F) Decreasing the number of children who, upon becoming ineligible for substitute care,  
5 have not achieved independent living status;

6 (G) Increasing the number of children who are placed with adoptive parents within 12  
7 months of termination of the parental rights of a child's biological parents;

8 (H) Reducing demographic disproportionality in substitute care;

9 (I) Increasing the number of families involved in the foster care system receiving ser-  
10 vices and assistance to make it possible for children in substitute care to safely return home;  
11 and

12 (J) Increasing the number of families involved in the foster care system having access  
13 to culturally relevant services;

14 (c) Necessary and recommended improvements to the internal operations of the depart-  
15 ment, including but not limited to the following:

16 (A) Monitoring, licensing and supervision of foster care providers;

17 (B) Caseload management;

18 (C) Procedures for investigation of abuses and deficiencies;

19 (D) Recruitment, training and retention of foster parents; and

20 (E) Quality assurance;

21 (d) Recommendations to improve and expand the availability of foster care and, where  
22 applicable, to provide alternatives to foster care for children who are in need of care and  
23 services;

24 (e) Promotion of responsible statewide advocacy for children in foster care; and

25 (f) Ongoing review of foster care providers in this state and the identification of barriers  
26 to the provision of quality care and services to children in the foster care system.

27 (2) In undertaking the commission's responsibilities under subsection (1) of this section,  
28 the commission shall consider reports, findings and recommendations that have been or will  
29 be issued by legislative and agency task forces, work groups and committees that have  
30 undertaken study, review or oversight of the foster care system in this state.

31 (3) The commission may establish any advisory or technical committees the commission  
32 considers necessary to aid and advise the commission in the performance of its functions.  
33 The committees may be continuing or temporary committees. The commission shall deter-  
34 mine the representation, membership, terms and organization of the committees and shall  
35 appoint the members of the committees. Members of the committees are not entitled to  
36 compensation but, in the discretion of the commission, may be reimbursed from funds  
37 available to the commission for actual and necessary travel and other expenses incurred by  
38 the members in the performance of official duties in the manner and amount provided in  
39 ORS 292.495.

40 (4) The commission may adopt rules to carry out the provisions of this section.

41 **SECTION 5.** This 2016 Act being necessary for the immediate preservation of the public  
42 peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect  
43 on its passage.