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Prepared by: Kim To
Reviewed by: Laurie Byerly
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Measure Description:

Requires Department of Human Services to adopt rules to establish Oregon Foster Children's Sibling Bill of Rights.

Government Unit(s) Affected:

Department of Human Services (DHS)

Analysis:

House Bill 2216 with the - 4 amendment requires the Department of Human Services (DHS) to adopt rules to establish the Oregon Foster Children’s Siblings Bill of Rights. In adopting these rules, DHS must ensure the participation of current and former foster children with siblings. DHS is mandated to periodically review these rules to ensure compliance. DHS must ensure that foster children with siblings have certain essential rights including the right to:

- Obtain substitute care placement together whenever possible and appropriate.
- Maintain contact with siblings, including being provided transportation in order to visit siblings.
- Be placed with foster parents and caseworkers who are trained on the importance of sibling relationships.
- Ensure contact with siblings will be encouraged in any adoptive or guardianship placement.
- Have a sibling contact plan developed with active engagement and participation of siblings.
- Have more private and less restrictive communication with siblings.
- Be notified in a timely manner of placement changes or catastrophic events affecting siblings.
- Be provided with an age-appropriate explanation if contact with sibling is denied or prohibited.
- Request an attorney advocate on behalf of the child for contact and visits with siblings while in foster care, when the court is considering whether to order visitation between siblings, and when decisions are being made regarding post-adoption contact between siblings.

In addition, DHS must provide an age-appropriate document regarding the existence of the Oregon Foster Children’s Siblings Bill of Rights within 60 days of any placement or change in placement, and on each occasion that the foster child’s case plan is considered and reviewed.

Department of Human Services (DHS)

Substitute care placements together, visits with siblings, sibling contact plan, and least restrictive communication are already current practice for DHS, and these provisions of the bill will not have a fiscal impact on the agency.

However, the comprehensive fiscal impact of this bill on DHS is indeterminate depending on the frequency and volume of the following circumstances, which cannot be predicted:

- The cost of providing transportation to visitation (including personnel costs and work time for someone to accompany foster children too young to travel alone) would depend on the number of siblings who live in other parts of the state or out of state.
- DHS currently funds post adoption communications mediation referrals. This cost could rise, if the bill results in an increase of post adoption communications mediation referrals needed in order to ensure that adoptive families honor their commitment to maintain sibling connections after an adoption finalizes.