



OREGON
Alliance
of Children's Programs

6 April 2017

House Human Services and Housing Committee

Regarding HB 2903

Dear Chair Keny-Guyer, Vice Chairs Olson and Sanchez, and
Committee Members,

Thank you so much for scheduling a hearing on HB 2903.

We are very grateful to Representative Andy Olson for creating a critical opportunity to offer improvements in existing child welfare statutes.

The child welfare arena is complex, and will need more than one strategy to achieve those three foundation pieces. Regulatory oversight is certainly one. But we must also have these goals:

- prioritize key areas for most of our focus
- build experience and build on experiences (continuous quality improvement)
- establish emotionally and physically safe environments for all

HERE IS WHAT 2903-1 DOES TO ACHIEVE THOSE 3 GOALS:

Prioritize:

Incident reports

- Require immediate attention to reports which are life threatening or which have affected the physical safety of a child.
- Allow up to 5 days to gather critical information on lesser events before determining if a full investigation needs to be opened.

Notifications

- Incidents that are life threatening or affected the physical safety of a child shall be reported to state agencies or county juvenile departments who have contracts with the provider; appropriate DHS personnel and the governing board of the CCA -- not to broad lists, such as "all governmental entities"
- Upon a finding of Substantiated, or a suspended or revoked license, send this result to a broader list

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Continuous Quality Improvement:

Investigations

- Align findings with what other Oregon licensing entities do (psychologists, counselors, therapists, teachers, nurses and doctors) – accountability by learning from lesser mistakes; and with significant events, have significant penalties
 - Add Letter of Concern and Reprimand findings and eliminate Inconclusive
- Correct the standard in Substantiated (“reasonable cause to believe”) to the statutorily appropriate “preponderance of the evidence”

Licensing Actions

- Providers who can eliminate concerns regarding the health and safety of children, and ameliorate problem areas, may have a licensing revocation rescinded at the discretion of the DHS.
- DHS would review “deemed status” options for providers who meet or beat DHS standards through accreditation of a national entity (don’t be redundant in licensing reviews)

Safe Environments:

- Eliminate inflammatory term of “alleged perpetrator” or “accused person” and use the neutral investigation term of “suspect.”
- Keep clear, tight and effective definitions so you know what you are accountable for.
 - Return definitions of abuse and neglect to previous statutes
 - Retain new areas of abuse, ie abandonment, involuntary seclusion and restraint, chemical restraint

HERE IS WHAT 2903-2 DOES:

Eliminate most of the above in order to assure that the DHS may – through a defined process with the Oregon Health Authority and the Oregon Youth Authority and with other regulatory steps -- rescind an automatic license revocation.

The ability of DHS to have a viable option to rescind a revocation decision is a very important change that providers also want.