

HB 2170 -2 STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/7, 4/11, 4/18

WHAT THE MEASURE DOES:

Establishes Office of Oregon Ombudsmen consisting of Long Term Care Ombudsmen, Residential Facilities Ombudsmen, Foster Parent Ombudsmen, Foster Child Ombudsmen, and Oregon Public Guardian and Conservator. Specifies appointment procedures for Office of Oregon Ombudsmen. Establishes duties for Ombudsmen including administration, program coordination, contracting with advocates, and appointment of support staff. Specifies requirements for Foster Child and Foster Parent Ombudsmen including provision of information regarding rights, investigation of complaints, collaboration with stakeholders, resource assistance and establishes hotline. Requires Foster Child Ombudsmen and Foster Parent Ombudsmen to report findings and recommendations of investigation to the foster child or foster parent. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Abuse of children in foster care system
- Role of Ombudsman
- Structure of the Office of Long Term Care Ombudsman
- Creation of independent office for Ombudsmen
- Effect of federal law changes

EFFECT OF AMENDMENT:

-2 Replaces measure.

Establishes the Oregon Ombudsmen office including the offices of the Long Term Care Ombudsman, Residential Facilities Ombudsman, Oregon Public Guardian, Foster Parent Ombudsman and Foster Child Ombudsman. Specifies provisions for the Ombudsmen offices including but not limited to services and information regarding rights, investigations, inquiries, help with processes for engagement with other stakeholders, establishing a hotline and work with stakeholders to identify and solve problems. Specifies access to records and confidentiality agreements for Ombudsmen offices

Establishes five-member advisory committees for the Foster Child Ombudsman, Foster Parent Ombudsman, Residential Facilities Ombudsman and Oregon Public Guardian.

Requires Foster Child Ombudsman and Foster Parent Ombudsman to be mandatory reporters of abuse.

Becomes operative January 1, 2018. Declares emergency, effective upon passage.

BACKGROUND:

The United States Ombudsman Association defines public sector ombudsmen as an independent, impartial public official with authority and responsibility to receive, investigate or informally address complaints about government actions. Oregon currently has a Long Term Care Ombudsman and a Foster Care Ombudsman.

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The Long Term Care Ombudsman Office was established in 1981 and became an independent state agency in 1985. The office identifies, investigates and resolves complaints on behalf of residents using a network of trained and certified volunteer ombudsmen. In addition, it monitors the complex long-term and residential care systems which, in addition to facilities, include a number of state and local agencies. The ombudsman makes recommendations to the Legislature and the Governor on long-term and residential care issues.

In 2013, the Office of the Foster Care Ombudsman was established by the Legislature to investigate and resolve complaints and concerns from a wide range of people including foster youth, parents, relatives, CASAs, attorneys, social workers and many other interested parties. This office is currently part of the Governor's Advocacy Office within the Department of Human Services Director's Office.

House Bill 2170 establishes Office of Oregon Ombudsmen consisting of Long Term Care Ombudsmen, Residential Facilities Ombudsmen, Foster Parent Ombudsmen, Foster Child Ombudsmen, and Oregon Public Guardian and Conservator. The bills specifies appointment procedures for Office of Oregon Ombudsmen and establishes duties for Ombudsmen including administration, program coordination, contracting with advocates, and appointment of support staff.