

HB 2903 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 5/8

WHAT THE MEASURE DOES:

Permits Department of Human Services (DHS) to immediately place conditions on license of a child-caring agency for child abuse or noncompliance with specified requirements. Establishes procedure to rescind notice of intent to revoke or suspend license for child-caring agency if DHS determines conditions warranting suspension or revocation have been resolved. Sunsets provisions requiring DHS consultation with other agencies on decisions to rescind January 1, 2021. Requires DHS to refer to entities under investigation as “respondent.” Requires DHS report to Legislative Assembly by September 15, 2018 and sunsets report provisions January 2, 2019. Declares emergency, effective upon passage.

FISCAL: Minimal Expenditure Impact

REVENUE: No Revenue Impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law requires the Department of Human Services (DHS) to immediately begin the process of revoking or suspending a child-caring agency’s license, certificate, or authorization (hereafter "license") if: a child dies from abuse or neglect at the agency; the agency knows of abuse and does not take proper steps to ensure child safety; the agency fails to cooperate with investigations; or the agency fails to provide required financial statements. There are no immediate sanctions that can be imposed on a license prior to the process of revocation or suspension, and there is no process to rescind a notice of intent to revoke or suspend a license if the child-caring agency resolves the conditions that led to sanctions. According to the Office of Child Care, there are about 2,100 Registered Family Child Care Homes, 770 Certified Family Child Care Homes, and 1,250 Certified Child Care Centers in Oregon.

House Bill 2903-A permits DHS to immediately place conditions on the license of a child-caring agency for child abuse or noncompliance with specified requirements. It permits DHS, in agreement with the Oregon Youth Authority or Oregon Health Authority (when appropriate), to rescind a notice of intent to suspend or revoke a license upon finding that concerns about health and safety have been ameliorated. DHS can unilaterally rescind such notices of intent after January 1, 2021. Upon rescission, child-caring agencies must annually renew their license for three years and DHS must notify the Governor and legislature of the particulars in writing.

House Bill 2903-A also requires DHS to refer to entities under investigation as “respondent” and not “alleged perpetrator.” Finally, it requires DHS to submit a report to legislative committees regarding “deemed status” determination of child-caring agencies by September 15, 2018.

This Summary has not been adopted or officially endorsed by action of the committee.