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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 - 2 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.
- Have a sibling contact plan developed with active engagement and participation of siblings.
- Be provided with an age-appropriate explanation if contact with sibling is denied or prohibited.
- Be notified in a timely manner of placement changes or catastrophic events affecting siblings.
- Be allowed to be present and testify at guardian ship proceedings that involve a sibling.
- Have letters of guardianship contain a provision specifying the frequency and nature of visitation and contact.
- Be placed with foster parents and caseworkers who are trained on the importance of sibling relationships.

DHS must provide age-appropriate information regarding the existence of the Oregon Foster Children’s Siblings Bill of Rights on annual basis, including posting this information at the residence of all foster parents and child-caring agencies.

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. In addition, DHS estimates the cost of developing, printing, and distributing age-appropriate information regarding the existence of the Oregon Foster Children’s Siblings Bill of Rights to be approximately \$9,215 Total Funds (\$6,450 General Fund; \$2,765 Federal Funds) per biennium. 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 notifying siblings of placement changes and catastrophic events would depend on the number of children in foster care who have siblings who are outside the foster care system (e.g. a half sibling living with a parent, adult siblings, or siblings still livings with parents) with whom the department may not always have ongoing contact, but will need to locate in order to comply with the provisions of this bill.
- 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.
- The impact on workload would depend on whether or not DHS will need to increase the number of post adoption communications mediation referrals in order to ensure that adoptive families honor their commitment to maintain sibling connections after an adoption finalizes.