

HB 2170 A STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

Action Date: 04/18/17

Action: Do pass with amendments
and be referred to Ways and Means by prior reference. (Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Gorsek, Keny-Guyer, Meek, Nearman, Noble, Olson, Piluso, Sanchez, Stark

Fiscal: Fiscal impact issued

Revenue: Has minimal revenue impact

Prepared By: Cassandra Soucy, LPRO Analyst

WHAT THE MEASURE DOES:

Establishes the Office of Oregon Ombudsmen 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. Allows access to records and entering into 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.

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:

Replaces measure.

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.

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, court appointed special advocates (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.

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

HB 2170 A STAFF MEASURE SUMMARY

House Bill 2170 A establishes the Office of Oregon Ombudsmen including the offices of the Long Term Care Ombudsman, Residential Facilities Ombudsman, Oregon Public Guardian, Foster Parent Ombudsman and Foster Child Ombudsman. The measure 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. The measure allows the Ombudsmen Offices access to records and entering into confidentiality agreements with other agencies.

House Bill 2170 A also establishes five-member advisory committees for the Foster Child Ombudsman, Foster Parent Ombudsman, Residential Facilities Ombudsman and Oregon Public Guardian.

Finally, the measure requires the Foster Child Ombudsman and Foster Parent Ombudsman to be mandatory reporters of abuse.