

SB 819 B STAFF MEASURE SUMMARY

Carrier: Rep. Piluso

House Committee On Human Services and Housing

Action Date: 05/23/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 7-0-2-0

Yeas: 7 - Keny-Guyer, Meek, Nearman, Noble, Olson, Piluso, Stark

Exc: 2 - Gorsek, Sanchez

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Expands duties and responsibilities of Critical Incident Response Team (CIRT) assigned to investigate fatality of child resulting from abuse. Details membership of the CIRT. Requires Department of Human Services (DHS) to supply team with all available records and information, and establishes requirements for case review records maintenance and limits availability of records and CIRT members in judicial or administrative proceedings. Requires team to submit initial, progress, and final report to DHS within specified timelines. Requires team to recommend to DHS improvements to child welfare system specific to case under review.

Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Process of establishing a CIRT
- Overview of Carly's Law
- Differences in information within CIRT reports

EFFECT OF AMENDMENT:

Removes provision that a public member assigned to a Critical Incident Response Team may not be examined in a civil or administrative proceeding. Removes requirement for Critical Incident Response Team to meet upon conclusion of criminal investigation.

BACKGROUND:

Oregon law requires the Department of Human Services (DHS) to assign a Critical Incident Response Team (CIRT) to investigate certain cases within 24 hours of determining that a child may have died from abuse or neglect. A CIRT's primary goal is to review the case and develop recommendations to improve the child welfare system to prevent future incidents. A CIRT is assigned if the fatality occurred when the child was in DHS custody, or when the child was subject to a recent child protective services assessment.

Senate Bill 819 B expands the parameters and responsibilities of CIRTs by requiring assignment whenever a deceased child, the child's sibling, or any child in the same household was subject to a child protective services assessment, or a recent child welfare or adoption case, or any report of abuse. The measure sets forth required and permissible members of CIRTs, and directs DHS to provide all available information. Confidential information provided by DHS is required to be properly maintained, and the measure limits the availability of CIRT case review and team members.

Senate Bill 819 B also establishes timelines and requirements for a CIRT to file initial, progress, and final reports with DHS. If a CIRT concludes that DHS personnel matters were involved in the child fatality, the team is required to refer the matter to relevant DHS personnel divisions.