

SB 243 A STAFF MEASURE SUMMARY

Carrier: Sen. Gelser

Joint Committee On Ways and Means

Action Date: 06/30/17

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

House Vote

Yeas: 11 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Laurie Byerly, Budget Analyst

WHAT THE MEASURE DOES:

Includes certified foster homes and developmental disabilities residential facilities in statutes concerning welfare of children in care. Modifies notification requirements. Defines terms. Becomes operative January 1, 2018. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Merits of the bill
- Fiscal impact

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law contains a number of provisions concerning the welfare of children in care, including definitions of abuse and neglect; provisions governing notifications that are required in abuse investigations; statutes that govern licensing of child-caring agencies; and mandatory reporting provisions. Generally, child abuse notifications and investigations by the Department of Human Services (DHS) are triggered when the department becomes aware of any kind of formal or informal report of suspected abuse at a child-caring agency. DHS then notifies appropriate internal licensing personnel and other government entities under contract with the child-caring agency, and begins an investigation.

SB 243 includes certified foster homes and developmental disabilities residential facilities among the entities that provide services to children in care. The measure also removes parents or guardians from the list of those to be notified of substantiated abuse reports and adds local citizen advisory boards. The bill also excludes children living at a child-caring agency from the definition of "child in care" if the care is provided by a parent. (For example, when a child lives at home with a parent who is also a foster parent, the definition of "child in care" would not apply to that parent-child relationship.) The measure also relieves child-caring agencies without staff or volunteers, from meeting certain training and materials requirements. Finally, SB 243 excludes age-appropriate discipline from the definition of "involuntary seclusion."