

## HOUSE AMENDMENTS TO HOUSE BILL 2216

By COMMITTEE ON HUMAN SERVICES AND HOUSING

March 14

1 On page 1 of the printed bill, delete lines 4 through 23 and insert:

2 **“SECTION 1. As used in sections 1 to 3 of this 2017 Act:**

3 **“(1) ‘Foster child’ means a child who is in the legal custody of the Department of Human**  
4 **Services pursuant to the provisions of ORS chapter 418 or 419B and who is placed in substi-**  
5 **tute care, including but not limited to care with a foster parent or a child-caring agency as**  
6 **defined in ORS 418.205.**

7 **“(2) ‘Sibling’ has the meaning given that term in ORS 419A.004.**

8 **“SECTION 2. It is the intent of the Legislative Assembly that siblings who are foster**  
9 **children have certain essential rights, including but not limited to the following:**

10 **“(1) To obtain substitute care placements together whenever safe and appropriate.**

11 **“(2) To maintain contact and visits with siblings while placed both in and out of substi-**  
12 **tute care placements, including contact by telephone and electronic communication, as safe**  
13 **and appropriate.**

14 **“(3) To be provided with transportation to maintain contact and have visits with siblings.**

15 **“(4) To be placed with foster parents and caseworkers who have been provided with**  
16 **training on the importance of sibling relationships.**

17 **“(5) To ensure that contact with siblings will be encouraged in any adoptive or**  
18 **guardianship placement, as safe and appropriate.**

19 **“(6) To have a sibling contact plan that has been developed as a result of the active en-**  
20 **gagement and participation of siblings and that is complied with as part of any substitute**  
21 **care placement.**

22 **“(7) To have more private or less restrictive communication with siblings as compared**  
23 **to communications with others who are not siblings, as safe and appropriate.**

24 **“(8) To be immediately and timely notified of placement changes or catastrophic events**  
25 **affecting a sibling, as safe and appropriate.**

26 **“(9) With respect to a foster child’s rights under this section:**

27 **“(a) To receive a document setting forth such rights as is age-appropriate and develop-**  
28 **mentally appropriate within 60 days of the date of any placement or any change in placement;**

29 **“(b) To have a document setting forth such rights that is age-appropriate and develop-**  
30 **mentally appropriate on each occasion that a foster child’s case plan is considered and re-**  
31 **viewed;**

32 **“(c) To have access to a document setting forth such rights that is age-appropriate and**  
33 **developmentally appropriate at the residence of all foster parents and child-caring agencies;**  
34 **and**

35 **“(d) To be informed of such rights on at least an annual basis.**

1       “(10) To be provided with an explanation in an age-appropriate manner as to why contact  
2 with a sibling is or has been denied or prohibited.

3       “(11) To have the rights under this section apply regardless of whether the parental  
4 rights of one or more of the foster child’s parents have been terminated, as safe and appro-  
5 priate.

6       “(12) To request that the foster child’s attorney advocate on behalf of the foster child for  
7 contact and visits with siblings:

8       “(a) While the foster child is in foster care;

9       “(b) When the court is considering whether to order visitation between the foster child  
10 and the foster child’s siblings under ORS 419B.367; and

11       “(c) When decisions are made regarding post-adoption contact between the foster child  
12 and the foster child’s siblings.”.

13       On page 2, after line 1, insert:

14       “**SECTION 4.** Nothing in sections 1 to 3 of this 2017 Act affects the application of the  
15 **Indian Child Welfare Act (25 U.S.C. 1901 et seq.)**.”.

16       In line 2, delete “4” and insert “5”.

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