

House Bill 3300

Sponsored by Representatives STARK, OLSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Human Services to develop and implement two pilot programs in rural and urban areas of state by contracting with independent nongovernmental entities to assess suitability of foster homes for certification. Provides that department remains responsible for certification of foster homes and foster care payments. Requires measurement of performance outcomes upon which payments to independent nongovernmental entity are based.

Requires department to report to Legislative Assembly regarding status of pilot programs on or before September 15 of 2018 and 2020.

Sunsets pilot programs on January 2, 2023.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to contracting with independent nongovernmental entities to provide certain child welfare
3 services; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. As used in this section and section 2 of this 2017 Act:**

6 (1) **"Foster home" has the meaning given that term in ORS 418.625.**

7 (2) **"Home study" means a written report documenting the result of an assessment con-**
8 **ducted by an independent nongovernmental entity to evaluate the suitability of an applicant**
9 **for certification as a foster home.**

10 (3) **"Independent nongovernmental entity" means an individual or a profit or nonprofit**
11 **business, organization or program that is not a public or state entity.**

12 (4) **"Rural area" means an area located entirely outside of the acknowledged Portland**
13 **Metropolitan Area Regional Urban Growth Boundary and the acknowledged urban growth**
14 **boundaries of cities with populations of 30,000 or more.**

15 (5) **"Urban area" means an area of the state that is not a rural area.**

16 **SECTION 2. (1) The Department of Human Services shall develop and implement two pi-**
17 **lot programs, one in a rural area and the other in an urban area of the state, to contract**
18 **with one or more independent nongovernmental entities to perform home studies, prepare**
19 **placement reports, assess the suitability of foster homes for certification and assess the**
20 **suitability of prospective adoptive parents to adopt. The purposes and goals of the pilot pro-**
21 **grams include, but are not limited to, the following:**

22 (a) **Reducing the shortage of foster homes by recruiting more persons to operate foster**
23 **homes;**

24 (b) **Enhancing the relationship between the department and operators of foster homes**
25 **and prospective adoptive parents;**

26 (c) **Ensuring that public and private agencies partner effectively to meet the needs of**
27 **children and families in foster homes and in adoption proceedings;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (d) Reducing the number of foster children placed inappropriately due to a shortage of
 2 types of placement arrangements available; and

3 (e) Increasing the number of foster homes available for foster children who are at risk
 4 and who have special needs.

5 (2)(a) The independent nongovernmental entity shall:

6 (A) Assess the suitability of an applicant for certification to operate a foster home under
 7 ORS 418.625 to 418.645;

8 (B) Review applications for a certificate to operate a foster home that have been sub-
 9 mitted to the department under ORS 418.635;

10 (C) Make recommendations to the department regarding the appropriateness of certifying
 11 an applicant to operate a foster home;

12 (D) Provide training to certified foster parents as required under ORS 418.640;

13 (E) Inform foster parents operating a certified foster home of the rights of foster parents
 14 set forth in ORS 418.648; and

15 (F) Provide foster parents operating a certified foster home with resources and infor-
 16 mation regarding community resources that provide support and assistance to foster par-
 17 ents.

18 (b) The department will remain responsible for certifying applicants to operate a foster
 19 home under ORS 418.625 to 418.645 and making foster care payments on behalf of a child in
 20 a foster home under ORS 418.647.

21 (3) To implement the pilot programs, the department shall:

22 (a) Issue a request for proposals that, at a minimum, requires the applicant to identify
 23 a method for measuring performance outcomes that compares the benefits and costs of
 24 having home studies, assessments for certification and investigations done by a state agency
 25 with those done by an independent nongovernmental entity under a pilot program under this
 26 section, taking into account the purposes and goals described in subsection (1) of this sec-
 27 tion.

28 (b) Enter into a contract with the independent nongovernmental entity that submits a
 29 successful proposal under this subsection.

30 (4) The contract entered into by the department and the independent nongovernmental
 31 entity under subsection (3) of this section shall contain, at a minimum, the following re-
 32 quirements:

33 (a) That payments to the independent nongovernmental entity will be based on perform-
 34 ance outcomes as determined by the department in its sole discretion; and

35 (b) That the independent nongovernmental entity shall comply with all other state or
 36 federal laws, regulations or rules that are applicable to the department in the performance
 37 of the department's duties to certify and oversee foster homes under ORS 418.625 to 418.645.

38 (5) The department shall consult with the Governor's Child Foster Care Advisory Com-
 39 mission established under section 1, chapter 76, Oregon Laws 2016, regarding development
 40 and implementation of the pilot programs under this section. The advisory commission shall
 41 consider obtaining the participation and recommendations of legislative members, foster
 42 parents and foster child advocates in the commission's consideration of the development and
 43 implementation of the pilot programs. The advisory commission shall advise the Director of
 44 Human Services and the department regarding its consideration of the development and im-
 45 plementation of the pilot programs, and make recommendations to enhance the progress of

1 the pilot programs in accomplishing the purposes and goals described in subsection (1) of this
2 section.

3 (6) The department shall prepare and submit a report to the interim committees of the
4 Legislative Assembly related to child welfare on or before September 15 of 2018 and 2020 re-
5 garding the status of the pilot programs developed and implemented under this section.

6 (7) The department may adopt rules to implement the provisions of this section.

7 SECTION 3. Sections 1 and 2 of this 2017 Act are repealed on January 2, 2023.

8 SECTION 4. This 2017 Act being necessary for the immediate preservation of the public
9 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
10 on its passage.

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