

SENATE AMENDMENTS TO SENATE BILL 244

By COMMITTEE ON HUMAN SERVICES

February 13

- 1 On page 1 of the printed bill, line 2, after “ORS” insert “418.205 and”.
- 2 After line 4, insert:
- 3 “**SECTION 1.** ORS 418.205, as amended by section 1, chapter 106, Oregon Laws 2016, is
- 4 amended to read:
- 5 “418.205. As used in ORS 418.205 to 418.327, 418.470, 418.475, 418.950 to 418.970 and 418.992 to
- 6 418.998, unless the context requires otherwise:
- 7 “(1) ‘Child’ means an unmarried person under 21 years of age.
- 8 “(2)(a) ‘Child-caring agency’:
- 9 “(A) Means any private school, private agency or private organization providing:
- 10 “(i) Day treatment for children with emotional disturbances;
- 11 “(ii) Adoption placement services;
- 12 “(iii) Residential care, including but not limited to foster care or residential treatment for chil-
- 13 dren;
- 14 “(iv) Residential care in combination with academic education and therapeutic care, including
- 15 but not limited to treatment for emotional, behavioral or mental health disturbances;
- 16 “(v) Outdoor youth programs; or
- 17 “(vi) Other similar care or services for children.
- 18 “(B) Includes the following:
- 19 “(i) A shelter-care home that is not a foster home subject to ORS 418.625 to 418.645;
- 20 “(ii) An independent residence facility as described in ORS 418.475;
- 21 “(iii) A private residential boarding school; and
- 22 “(iv) A child-caring facility as defined in ORS 418.950.
- 23 “(b) ‘Child-caring agency’ does not include:
- 24 “(A) Residential facilities or foster care homes certified or licensed by the Department of Human
- 25 Services under ORS 443.400 to 443.455, 443.830 and 443.835 for children receiving developmental
- 26 disability services;
- 27 “(B) Any private agency or organization facilitating the provision of respite services for parents
- 28 pursuant to a properly executed power of attorney under ORS 109.056. For purposes of this subpar-
- 29 agraph, ‘respite services’ means the voluntary assumption of short-term care and control of a minor
- 30 child without compensation or reimbursement of expenses for the purpose of providing a parent in
- 31 crisis with relief from the demands of ongoing care of the parent’s child;
- 32 “(C) A youth job development organization as defined in ORS 344.415;
- 33 “(D) A shelter-care home that is a foster home subject to ORS 418.625 to 418.645; or
- 34 “(E) A foster home subject to ORS 418.625 to 418.645.
- 35 “(3) ‘Child-caring facility’ has the meaning given that term in ORS 418.950.

1 “(4) **‘Governmental agency’ means an executive, legislative or judicial agency, depart-**
2 **ment, board, commission, authority, institution or instrumentality of this state or of a**
3 **county, municipality or other political subdivision of this state.**

4 “[4] (5) ‘Independent residence facility’ has the meaning given that term in ORS 418.475.

5 “[5)(a)] (6)(a) ‘Outdoor youth program’ means a program that provides, in an outdoor living
6 setting, services to children who have behavioral problems, mental health problems or problems with
7 abuse of alcohol or drugs.

8 “(b) ‘Outdoor youth program’ does not include any program, facility or activity:

9 “(A) Operated by a governmental entity;

10 “(B) Operated or affiliated with the Oregon Youth Conservation Corps;

11 “(C) Licensed by the Department of Human Services under other authority of the department;

12 or

13 “(D) Operated by a youth job development organization as defined in ORS 344.415.

14 “[6)] (7) ‘Private’ means not owned, operated or administered by any governmental agency or
15 unit.

16 “[7)] (8) ‘Private residential boarding school’ means either of the following as the context re-
17 quires:

18 “(a) A child-caring agency that is a private school that provides residential care in combination
19 with academic education and therapeutic care, including but not limited to treatment for emotional,
20 behavioral or mental health disturbances; or

21 “(b) A private school providing residential care that is primarily engaged in educational work
22 under ORS 418.327.

23 “[8)] (9) ‘Proctor foster home’ means a foster home certified by a child-caring agency under
24 section 6, chapter 106, Oregon Laws 2016, that is not subject to ORS 418.625 to 418.645.

25 “[9)] (10) ‘Provider of care or services for children’ means a person, entity or organization that
26 provides care or services to children, regardless of whether the child is in the custody of the De-
27 partment of Human Services, and that does not otherwise meet the definition of, or requirements for,
28 a child-caring agency. ‘Provider of care or services for children’ includes a proctor foster home
29 certified by a child-caring agency under section 6, chapter 106, Oregon Laws 2016.

30 “[10)] (11) ‘Shelter-care home’ has the meaning given that term in ORS 418.470.”.

31 In line 5, delete “1” and insert “2”.

32 In line 8, restore the bracketed material.

33 In line 24, after “suspected” insert “or founded abuses.”.

34 In line 26, restore the bracketed material and delete the boldfaced material.

35 In line 27, delete the boldfaced material.

36 On page 2, line 6, restore “governmental agency” and delete the boldfaced material.

37 In line 13, restore the bracketed material and delete the boldfaced material.

38 In line 15, restore “governmental agency” and delete the boldfaced material.

39 In line 17, before the period insert “under this subsection and of any conditions placed on the
40 child-caring agency’s license, certificate or authorization pursuant to ORS 418.240”.

41 In line 18, delete “state” and insert “governmental”.

42 In line 20, restore the bracketed material.

43 In line 29, restore “governmental agency” and delete the boldfaced material.

44 In line 34, restore the bracketed material.

45 In line 43, delete “2” and insert “3”.

- 1 On page 3, line 7, restore “governmental agency” and delete the boldfaced material.
- 2 On page 4, line 6, delete “3” and insert “4”.
- 3 In line 20, restore “governmental agency” and delete the boldfaced material.
- 4 In line 41, delete “state” and insert “governmental”.
- 5 On page 5, line 7, restore “governmental agency” and delete “state agency”.
- 6 In line 23, delete “4” and insert “5”.
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