

Requested by Representative PILUSO

**PROPOSED AMENDMENTS TO
HOUSE BILL 2216**

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**
4 **Department of Human Services pursuant to the provisions of ORS**
5 **chapter 418 or 419B and who is placed in substitute care, including but**
6 **not limited to care with a foster parent or a child-caring agency as**
7 **defined in ORS 418.205.**

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

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

12 **“(1) To obtain substitute care placements together whenever possi-**
13 **ble and appropriate.**

14 **“(2) To maintain contact and visits with siblings while placed both**
15 **in and out of substitute care placements, including contact by tele-**
16 **phone and electronic communication.**

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

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

21 **“(5) To include in any adoptive or guardianship placement, terms**

1 ensuring that contact with siblings will be encouraged.

2 “(6) To have a sibling contact plan that has been developed as a
3 result of the active engagement and participation of siblings and that
4 is complied with as part of any substitute care placement.

5 “(7) To have more private or less restrictive communication with
6 siblings as compared to communications with others who are not sib-
7 lings, as safe and appropriate.

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

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

11 “(a) To receive a document setting forth such rights as is age-
12 appropriate and developmentally appropriate within 60 days of the date
13 of any placement or any change in placement;

14 “(b) To have a document setting forth such rights that is age-
15 appropriate and developmentally appropriate on each occasion that a
16 foster child’s case plan is considered and reviewed;

17 “(c) To have a document setting forth such rights that is age-
18 appropriate and developmentally appropriate posted at the residence
19 of all foster parents and child-caring agencies; and

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

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

24 “(11) To have the rights under this section apply regardless of
25 whether the parental rights of one or more of the foster child’s parents
26 have been terminated, as safe and appropriate.

27 “(12) To be actively engaged and participate in the process under
28 ORS 109.305 whereby a written agreement between birth relatives of
29 the foster child and adoptive parents to permit continuing contact is
30 entered, such that contact between the foster child and siblings is al-

1 **lowed as is age and developmentally appropriate, and as is approved**
2 **by the court.**

3 **“(13) To be allowed to be present and testify at guardianship pro-**
4 **ceedings under ORS 419B.365 and 419B.366 that involve a sibling and**
5 **to have any letters of guardianship issued under ORS 419B.367 contain**
6 **a provision specifying the frequency and nature of visitation or con-**
7 **tact between siblings, as safe and appropriate.”.**

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