

Requested by HOUSE COMMITTEE ON HUMAN SERVICES AND HOUSING

**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 safe**
13 **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, as safe and appropriate.**

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 ensure that contact with siblings will be encouraged in any**

1 adoptive or guardianship placement, as safe and appropriate.

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 access to a document setting forth such rights that is
18 age-appropriate and developmentally appropriate at the residence of
19 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 request that the foster child’s attorney advocate on behalf
28 of the foster child for contact and visits with siblings:

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

30 “(b) When the court is considering whether to order visitation be-

1 **tween the foster child and the foster child’s siblings under ORS**
2 **419B.367; and**

3 **“(c) When decisions are made regarding post-adoption contact be-**
4 **tween the foster child and the foster child’s siblings.”.**

5 On page 2, after line 1, insert:

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

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

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