

## SB 825 -1 STAFF MEASURE SUMMARY

### Senate Committee On Human Services

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**Prepared By:** Jamie Hinsz, LPRO Analyst

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 3/12

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#### WHAT THE MEASURE DOES:

Directs Department of Human Services to study and make recommendations relating to placement of children in child-caring agencies. Requires report to Legislative Assembly by January 1, 2021.

*REVENUE: May have revenue impact, but no statement yet issued.*

*FISCAL: May have fiscal impact, but no statement yet issued.*

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-1 Replaces measure. Allows DHS to utilize qualified residential treatment programs (QRTPs) that provide specialized residential care, in order to align with federal funding requirements. Provides definition and requirements for QRTPs. Requires independent, qualified individual assess strengths and needs of any child, ward, youth, or youth offender placed in QRTP within 30 days. Requires court approval of QRTP placement within 30 days. Requires replacement within 30 days of court order rejecting QRTP. Expands requirements of juvenile court reports to include findings for wards placed in QRTPs: that ward's needs cannot be met through foster home placement; that QRTP is least restrictive and most appropriate; that placement is consistent with child's permanency plan; the specific treatment or service needs that will be met; the length of time expected to meet needs; and reunification efforts or other placement that is not a QRTP. Requires judicial approval of voluntary placements in QRTPs. Modifies voluntary placement to require permanency hearing within 14 months and at least annually for duration of placements lasting longer than 12 months. Requires Citizen Review Board to examine each voluntary QRTP placement and make specified findings within six months, and every six months for the duration. Prohibits DHS from placing children in shelter-care home for more than 60 cumulative days in any 12-month period unless child is a homeless or runaway youth who accessed placement without DHS support or direction. Includes county juvenile department as agency having guardianship or legal custody required to file reports and authorized to seek judicial review and determinations in juvenile delinquency matters. Requires court findings to include: whether Oregon Youth Authority (OYA) or county juvenile department made efforts toward safe reunification and considered youth health and safety of paramount concern; appropriateness of placement; extent of compliance with youth offender's case plan; and progress toward alleviating or mitigating causes necessitating placement in substitute care. Declares emergency, effective on passage.

*REVENUE: May have revenue impact, but no statement yet issued.*

*FISCAL: May have fiscal impact, but no statement yet issued.*

#### BACKGROUND:

The federal Family First Prevention Services Act (Family First) was signed into law as part of the Bipartisan Budget Act on February 9, 2018. Family First reforms the federal child welfare financing streams under title IV-E and title IV-B of the Social Security Act to provide services to families who are at risk of entering the child welfare system, in an effort to prevent children from being removed from their families.

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Family First also seeks to improve the well-being of children already in foster care by limiting federal funding for states for children who are placed in a setting that is not a foster family home unless the setting is a Qualified Residential Treatment Program (QRTP). Federal policy makers assert that there is an appropriate role for congregate care placements in the continuum of care, and these placements should be based on the specialized behavioral and mental health needs or clinical disabilities of children. Evidence shows that children do best in a family like setting, and current federal law states that children in foster care have the right to be placed in the least restrictive setting relative to their needs.