

Legislative Fiscal Office

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Joint Committee on Ways and Means

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To: Capital Construction Subcommittee

From: Laurie Byerly, Legislative Fiscal Office

Date: June 17, 2019

Subject: SB 171 – Relating to children

SB 171 creates a statutory framework for the Department of Human Services (DHS) to operate child welfare programs consistent with the federal Family First Prevention Services Act (FFPSA), which reforms federal financing streams to pay for services to families that are at risk of entering the child welfare system. FFPSA also seeks to improve the well-being of children already in foster care by limiting funding 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).

The measure primarily affects DHS but also involves court activity and the Oregon Youth Authority (OYA), which also works with many of the same residential service providers. The bill outlines definitions, requirements (including an independent assessment of each child), and service payments for the Department's use of a QRTP. Conditions under which children can be placed can be placed in non-QRTP settings, along with associated timeframes, are also set out. The measure requires court approval of QRTP placements, for both non-voluntary and voluntary situations, and placement-related information to be included in court reports. The changes around QRTP placements are effective July 1, 2020, which is the target date for the state to be ready to meet the federal program requirements.

Under the bill, DHS must report, monthly via website, specific information on out-of-state placements; these postings must start by no later than September 1, 2019. Also, by that same date, DHS and the Oregon Health Authority are directed to report to interim legislative committees on several items, including the following: developing appropriate in-state placements for children, minimizing out-of-state placements, returning children to Oregon, recommending how providers can successfully move to the QRTP program model, identifying rate adjustments or other financial changes needed to meet new requirements; and ensuring crisis placement capacity.

The recommended amendment, preliminary staff measure summary, and fiscal impact statement are available on the Oregon Legislative Information System (OLIS). The measure previously had hearings in Senate Human Services on April 4 and 9, 2019.

The -A8 modifies clarifies definitions related to congregate care settings and eliminates qualifications and restrictions around DHS placing children in an out-of-state child care institution or residential setting. The legislative report must also include a summary of potential QRTP model impacts on county juvenile programs and OYA; the amendment also changes the fiscal year used for reporting historical data from 2013 to 2014.

The amendment has an indeterminate, but likely minimal fiscal impact related to reporting and agencies' work around developing potential impacts of the QRTP model. Changes that residential providers make to meet QRTP requirements may drive future rate increases or require financial assistance for accreditation and time limits around certain placements may mean an additional cost to cover temporary lodging for some children; these costs cannot currently be quantified.

Recommended Changes

LFO recommends adoption of the -A8 amendment.

MOTION: I move adoption of the -A8 amendment to SB 171. (VOTE)

Final Subcommittee Action

LFO recommends that SB 171, as amended by the -A8 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move SB 171, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____