

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3208 - A

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Kim To
Reviewed by: Laurie Byerly, Tom MacDonald, Julie Neburka
Date: April 11, 2019**Measure Description:**

Directs Department of Human Services to study and develop two-year and five-year plans for department to provide comprehensive funding for child welfare services, ensure adequate in-state services for children's therapeutic care and request sufficient funding for high level staff.

Government Unit(s) Affected:

Department of Human Services (DHS), Oregon Health Authority (OHA), Oregon Youth Authority (OYA)

Summary of Fiscal Impact:

Quantifiable costs related to the measure will require budgetary action. In addition, the fiscal impact analysis contains elements that are indeterminate, at this time - See analysis.

Summary of Expenditure Impact:

	2019-21 Biennium	2021-23 Biennium
General Fund		
Personal Services	158,454	158,454
Services and Supplies	31,903	31,903
TOTAL GENERAL FUND	\$190,357	\$190,357
Federal Funds		
General Fund		
Personal Services	39,613	39,613
Services and Supplies	7,976	7,976
TOTAL FEDERAL FUNDS	\$47,589	\$47,589
TOTAL FUNDS	\$237,946	\$237,946
Positions	1	1
FTE	1.00	1.00

Analysis:

HB 3208 requires the Department of Human Services (DHS) to:

- Study and develop, in consultation with the Oregon Health Authority (OHA), and the Oregon Youth Authority (OYA), two-year and five-year plans that will: (1) provide an accurate amount for the cost of placing a child in care; (2) ensure adequate instate services are available to children requiring therapeutic care; and (3) determine the cost needed to effectively recruit, train and retrain staff, and meet all state and federal child welfare requirements. Initial drafts of these plans are due to the Legislature by September 15, 2019 and final plans with proposed legislation a year later.
- Provide investigation assistance to persons, including law enforcement officers, who are required to investigate allegations of child abuse. DHS must ensure that persons providing investigation assistance are subject matter experts with knowledge about evidence-based models and best practices in child

abuse investigations. The bill defines “investigation assistance” to include advising investigators during a child abuse investigation regarding standards of care, child development, and trauma behaviors.

- Study the implementation of the above child abuse investigation assistance efforts and annually report to the Legislature by September 15 of each year, beginning in 2019. This report must include recommendations on further methods to provide assistance in child abuse investigations to minimize any negative impact on child victims and unnecessary trauma on child abuse investigators.
- Study provisions of state law relating to investigations of abuse of a child in care and make recommendations for new legislation or changes to existing statutes necessary to allow DHS to adopt, by rule, a child in care abuse investigation framework that is consistent with national models for child safety investigations.

Department of Human Services (DHS)

DHS estimates the fiscal impact of one limited duration Operation Policy Analyst 3 position to oversee the development of the two-year and five-year plans and assist with the study of investigation assistance implementation to be \$237,946 Total Funds [\$190,357 General Fund and \$47,589 Federal Fund] and one position (1.00 FTE) per biennium.

In addition, the fiscal impact of complying with the provisions that require DHS to implement investigation assistance is indeterminate due to two main variables: (1) at this time, the number of district attorney and law enforcement investigations at the state, city, and county level that will require DHS assistance cannot be precisely quantified; and (2) the expertise level required by the bill for DHS workers assisting in investigations is unclear. The bill requires DHS to provide investigation assistance to persons, including law enforcement officers, who are required to investigate allegations of child abuse. The bill defines “investigation assistance” to include advising investigators during a child abuse investigation regarding standards of care, child development, and trauma behaviors. The bill stipulates that DHS must ensure that persons providing investigation assistance are subject matter experts with knowledge about evidence-based models and best practices in child abuse investigations. DHS reports that although Child Protective Service (CPS) workers have knowledge of best practices, true subject matter experts are CPS supervisors, or experienced CPS workers at the Mentoring, Assisting, and Promoting Success (MAP) compensation level. Both existing CPS supervisors and MAP workers do not currently have the capacity to absorb the additional workload of providing the assistance required by the bill.

Although no data from district attorneys can be compiled at this time, as a frame of reference, according to the Oregon State Police (OSP), the agency worked on 2,475 child abuse cases in calendar year 2016 and 2,217 in calendar year 2017. DHS reports that assuming a MAP level CPS worker is required to consult on 1,200 cases a year, CPS would need an additional 30 Social Services Specialist 2 positions to handle the investigation assistance caseload. The staffing cost for 30 Services Specialist 2 position is \$5,063,040 Total Funds [\$4,050,432 General Fund and \$1,012,608 Federal Fund (22.5 FTE)] for the 2019-21 biennium, and \$6,558,990 Total Funds [\$5,247,192 General Fund and \$1,311,798 Federal Fund (30.00 FTE)] for the 2021-23 biennium.

Oregon Health Authority (OHA), Oregon Youth Authority (OYA)

The fiscal impact of this bill on OHA and OYA is anticipated to be minimal. OHA and OYA will use existing staff and resources to work with DHS on the two-year and five-year plans.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact on the State’s General Fund.