

SB 171 A STAFF MEASURE SUMMARY

Senate Committee On Human Services

Action Date: 04/09/19

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 5-0-0-0

Yeas: 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Jamie Hinsz, LPRO Analyst

Meeting Dates: 4/4, 4/9

WHAT THE MEASURE DOES:

Allows the Department of Human Services (DHS) to utilize qualified residential treatment programs (QRTPs) that provide specialized residential care, to align with federal funding requirements of the Family First Prevention Services Act. Authorizes DHS to place child in a child care institution or other residential congregate care setting only if it is a child-caring agency and QRTP, except as specified. Prohibits placement of child in residential care agency or shelter care home that is not a QRTP for more than 60 consecutive days or 90 cumulative days in a 12-month period, or if such placement also serves adjudicated youth or youth served by Oregon Youth Authority or the county juvenile department. Prohibits placement of child in a homeless, runaway or transitional living shelter that is not part of a QRTP for more than 90 consecutive or 120 cumulative days in any 12-month period unless child is homeless or a runaway and accessed placement without support or direction of DHS. Authorizes DHS to place child in another state in a child care institution or residential congregate care setting in specified circumstances. Specifies requirements DHS must satisfy prior to placing child in out-of-state residential psychiatric treatment facility. Prohibits placement in a child care institution or residential congregate care setting in another state if the institution is an intermediate care facility or other institution for children with intellectual or developmental disabilities, or if the child has autism or an intellectual or developmental disability and the placement predominantly serves children with autism or intellectual or developmental disabilities as specified. Requires specified information about out-of-state placements be published on DHS' website and updated monthly. Requires: independent assessment of every child placed in QRTP within 30 days; court approval of QRTP placement within 60 days; and replacement within 30 days of court order disapproving QRTP. Expands juvenile court reports to include specified findings for children placed in QRTPs. Requires court 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 DHS and Oregon Health Authority submit report to Legislative Assembly as specified by September 1, 2019. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of amendment

EFFECT OF AMENDMENT:

Replaces the measure.

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. It reforms child welfare financing streams under Title IV-E and Title IV-B of the Social Security Act to provide services to families at risk of entering the child welfare system, to prevent children from

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being removed from their families. Family First 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).

Senate Bill 171 A aligns the child welfare system's use of QRTPs consistent with federal funding requirements. The measure includes time restrictions for the placement of children in: residential care agencies or shelter care homes that are not QRTPs; homeless, runaway, or transitional living shelters that are not part of a QRTP; and placements serving adjudicated youth or youth served by the Oregon Youth Authority or county juvenile departments. Senate Bill 171 A specifies requirements the Department of Human Services (DHS) must satisfy prior to making a placement of a child in an out-of-state institution or congregate care setting. The measure also requires DHS and the Oregon Health Authority to submit a report to the Legislative Assembly summarizing DHS's plan to develop appropriate in-state placements and to minimize out-of-state placements.