

SB 171 B STAFF MEASURE SUMMARY**Carrier:** Sen. Gelser**Joint Committee On Ways and Means****Action Date:** 06/18/19**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Senate Vote****Yeas:** 11 - Beyer, Frederick, Girod, Hansell, Heard, Johnson, Manning Jr, Roblan, Steiner Hayward, Thomsen, Wagner**Exc:** 1 - Baertschiger Jr**House Vote****Yeas:** 9 - Gomberg, Holvey, McLain, McLane, Nosse, Piluso, Rayfield, Smith G, Stark**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Laurie Byerly, Budget Analyst**Meeting Dates:** 6/17, 6/18**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 program criteria and 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.

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 move to a new placement 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 interim legislative committees as specified by September 1, 2019; report content includes plan to develop in-state placements, plan minimize out-of-state placements and return children to Oregon, and recommendations on how providers can successfully implement the QRTP model. Declares emergency, effective on passage. Some portions of the bill are operative July 1, 2020, to align with the state's expected Family First Prevention Services Act implementation date.

ISSUES DISCUSSED:

- Amendment
- Fiscal impact

EFFECT OF AMENDMENT:

Modifies 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 is expanded to include a summary of potential QRTP model impacts on county juvenile programs and OYA; the amendment also

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changes the fiscal year used for reporting historical data from 2013 to 2014.

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 toward preventing children from 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).

The measure 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.