

House Bill 2951

Sponsored by Representative HELT; Representatives ALONSO LEON, BOLES, BOSHART DAVIS, DOHERTY, DRAZAN, HERNANDEZ, MARSH, MEEK, NERON, REARDON, SOLLMAN, STARK, WALLAN, WILDE, WILLIAMS, ZIKA, Senators KNOPP, ROBLAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Human Services to complete investigations regarding applications for certificates to operate foster homes for care of children under 21 years of age no later than 120 days after department receives application.

Requires Oregon Youth Authority to complete investigations regarding applications for certificates to operate foster homes for youth offenders no later than 120 days after youth authority receives application.

A BILL FOR AN ACT

1
2 Relating to foster home certifications; amending ORS 418.635 and 420.890.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 418.635 is amended to read:

5 418.635. Application for a certificate to operate a foster home shall be made to the Department
6 of Human Services upon a form to be furnished by the department. Upon receipt of such application,
7 the department shall cause an investigation of the qualifications of the foster home to be made to
8 determine which type of certificate should be issued in accordance with the rules of the department
9 pertinent to the certification of foster homes[, *and*]. **No later than 120 days after receiving an**
10 **application under this section, the department** shall issue an appropriate certificate to any per-
11 son maintaining a foster home which complies with ORS 418.625 to 418.645. Such certificate may be
12 revoked by the department following notice and opportunity for hearing as provided in ORS chapter
13 183 because of violation of any of the provisions of ORS 418.625 to 418.645 or of the rules provided
14 for in ORS 418.640. Such certificate shall apply only to the premises designated on the certificate
15 at the time of issue and a change of residence shall automatically terminate the certificate.

16 **SECTION 2.** ORS 420.890 is amended to read:

17 420.890. (1) A person may not operate a youth offender foster home without a certificate of ap-
18 proval issued by the Oregon Youth Authority.

19 (2) A person may apply for a certificate of approval to operate a youth offender foster home by
20 submitting an application to the youth authority on a form furnished by the youth authority.

21 (3)(a) Upon receipt of an application under subsection (2) of this section, the youth authority
22 shall cause an investigation to be made of the applicant and the applicant's home. **No later than**
23 **120 days after receiving an application under subsection (2) of this section,** the youth author-
24 ity, in accordance with rules adopted under ORS 420.892, shall determine whether to issue a certif-
25 icate of approval to the applicant. The certificate must be in the form prescribed by the youth
26 authority and must state the name of the foster parent, the address of the premises to which the
27 certificate applies and the maximum number of youth offenders to be maintained in the youth
28 offender foster home at any one time. The certificate applies only to the premises designated in the

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 certificate and a change of residence automatically terminates the certificate. The certificate is ef-
2 fective for one year.

3 (b) After notice and opportunity for hearing as provided in ORS 183.310 to 183.482, the youth
4 authority may deny an application for a certificate of approval under paragraph (a) of this sub-
5 section. A person whose application for a certificate of approval has been denied may appeal the
6 decision to the Court of Appeals in the manner provided in ORS 183.480 for the review of orders in
7 contested cases.

8 (4)(a) After notice and opportunity for hearing as provided in ORS 183.310 to 183.482, the youth
9 authority may revoke, deny an application to renew or attach conditions to a certificate of approval
10 issued under subsection (3)(a) of this section for a violation of any provision of this section or ORS
11 420.892 or of the rules adopted under ORS 420.892.

12 (b) A person whose certificate of approval is revoked, not renewed or is made subject to condi-
13 tions by a decision of the youth authority under paragraph (a) of this subsection may appeal the
14 decision to the Court of Appeals in the manner provided in ORS 183.480 for the review of orders in
15 contested cases.

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