

# House Bill 3393

Sponsored by Representative SANCHEZ

## 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**.

Prohibits Department of Human Services from disclosing records and reports related to child abuse investigations to certain entities unless court finds report of abuse is founded. Requires department to record any questioning of parent or child regarding suspected child abuse.

Prohibits department from administering certain medication to, consenting to medical procedure for or cutting hair of child under 15 years of age in protective custody without consent of custodial parent or legal guardian or, if custodial parent or legal guardian is unavailable, juvenile court.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to parental rights; and prescribing an effective date.

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

4 **SECTION 1. (1) When investigating reports of suspected child abuse, the Department of**  
5 **Human Services:**

6 (a) **May not make reports and records available under ORS 419B.035 (1)(e), (f), (h) or (j),**  
7 **unless a court finds that the report of abuse is founded.**

8 (b) **Shall record any questioning by the department of a parent or child.**

9 (2) **The department shall adopt such rules as are reasonably necessary for the enforce-**  
10 **ment of this section.**

11 **SECTION 2. (1) If the Department of Human Services takes a child under 15 years of age**  
12 **into protective custody, the department shall obtain the consent of the child's custodial**  
13 **parent or legal guardian or, if the department after reasonable efforts is unable to contact**  
14 **the child's custodial parent or legal guardian, the juvenile court, prior to:**

15 (a) **Except as provided in ORS 109.640 (1), administering medication to the child;**

16 (b) **Consenting to a medical procedure for the child; or**

17 (c) **Cutting the child's hair.**

18 (2) **The department shall adopt such rules as are reasonably necessary for the enforce-**  
19 **ment of this section.**

20 (3) **As used in this section, "parent" does not include a parent whose parental rights have**  
21 **been terminated by a court.**

22 **SECTION 3. This 2019 Act takes effect on the 91st day after the date on which the 2019**  
23 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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**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.