

HB 3180-2
(LC 3998)
3/20/19 (HRL/ps)

Requested by HOUSE COMMITTEE ON HUMAN SERVICES AND HOUSING (at the request of
Representative Keny-Guyer)

**PROPOSED AMENDMENTS TO
HOUSE BILL 3180**

1 In line 2 of the printed bill, after the semicolon insert “creating new
2 provisions; amending ORS 147.391, 418.746, 418.786, 418.788 and 418.796;”.

3 After line 3, insert:

4 **“SECTION 1. Section 2 of this 2019 Act is added to and made a part
5 of ORS 418.746 to 418.796.**

6 **“SECTION 2. The Child Abuse Assessment Account is established
7 in the State Treasury, separate and distinct from the General Fund.
8 Interest earned by the account shall be credited to the account. The
9 account consists of moneys deposited into the account under ORS
10 418.796 and may include moneys appropriated, allocated, deposited or
11 transferred to the account by the Legislative Assembly or otherwise.
12 The moneys in the account are continuously appropriated to the De-
13 partment of Justice for the purposes specified in ORS 418.786.**

14 **“SECTION 3. ORS 418.746 is amended to read:**

15 **“418.746. (1) The Child Abuse Multidisciplinary Intervention Account is
16 established separate and distinct from the General Fund. Interest earned, if
17 any, shall inure to the benefit of the account. **The account consists of
18 moneys deposited into the account under ORS 418.796 and may include
19 moneys appropriated, allocated, deposited or transferred to the ac-
20 count by the Legislative Assembly or otherwise.** All moneys deposited
21 in the account are continuously appropriated to the Department of Justice**

1 for the purposes of ORS 418.751 and this section.

2 “(2) The Child Abuse Multidisciplinary Intervention Program, with the
3 advice of the Advisory Council on Child Abuse Assessment, created by ORS
4 418.784, shall allocate moneys from the Child Abuse Multidisciplinary Inter-
5 vention Account to eligible county multidisciplinary child abuse teams
6 formed under ORS 418.747, or entities designated by the teams, serving the
7 counties from which the moneys were collected. The program may award
8 only one grant per county. The moneys shall be allocated by the same for-
9 mula as, or a formula similar to, the formula used by the Attorney General
10 for equitable distribution of the fund for victim’s assistance programs under
11 ORS 147.227 (1). Moneys allocated under this subsection may not be used as
12 replacement revenues for currently available funds previously allocated by
13 the county for child abuse intervention.

14 “(3) The Child Abuse Multidisciplinary Intervention Program shall de-
15 termine eligibility of the applicants and:

16 “(a) Allocate funds if the applicant is deemed eligible;

17 “(b) Conditionally allocate funds, with appropriate conditions, when nec-
18 essary to establish eligibility; or

19 “(c) Deny funding.

20 “(4) In making the eligibility determination, the Child Abuse Multidisci-
21 plinary Intervention Program shall consider the following nonexclusive list
22 of factors:

23 “(a) Whether the services offered by an applicant substantially further the
24 goals and purposes of ORS 418.747, 418.790 and 418.792;

25 “(b) Whether the county multidisciplinary child abuse team or the entity
26 designated by the team has properly allocated other available funds;

27 “(c) Any evaluations of previously funded services as required by sub-
28 section (7) of this section;

29 “(d) The extent to which the county’s coordinated child abuse multidisci-
30 plinary intervention plan provides for comprehensive services to the victims

1 of child abuse;

2 “(e) Whether the funds are being used as replacement revenues as pro-
3 hibited by subsection (2) of this section;

4 “(f) Whether there is a community assessment center or advocacy center
5 in existence or planned in the county; and

6 “(g) The extent to which funding a community assessment center is given
7 priority in the intervention plan as required under subsection (5) of this
8 section.

9 “(5)(a) At least once a biennium, the county multidisciplinary child abuse
10 team shall submit to the Child Abuse Multidisciplinary Intervention Pro-
11 gram a coordinated child abuse multidisciplinary intervention plan. The
12 intervention plan must:

13 “(A) Describe all sources of funding, other than moneys that may be al-
14 located from the Child Abuse Multidisciplinary Intervention Account, in-
15 cluding in-kind contributions that are available for the intervention plan;

16 “(B) Describe the critical needs of victims of child abuse in the county,
17 including but not limited to assessment, advocacy and treatment, and how
18 the intervention plan addresses those needs in a comprehensive manner;

19 “(C) Include the county’s written protocol and agreements required by
20 ORS 418.747 (2) and 418.785; and

21 “(D) Describe how the intervention plan gives priority to funding a com-
22 munity assessment center and how the funding supports the center.

23 “(b) When submitting the intervention plan, the county multidisciplinary
24 child abuse team shall also submit:

25 “(A) Those applications for funding received from entities under sub-
26 section (6) of this section that the team determines best meet the needs of
27 the county’s intervention plan and a recommendation that the applications
28 for funding be granted; and

29 “(B) If the team is seeking funding from the Child Abuse Multidiscipli-
30 nary Intervention Program, an application setting forth the information re-

1 quired by rule of the program.

2 “(6) An entity wishing to apply for funding from the Child Abuse Multi-
3 disciplinary Intervention Program shall submit an application to the county
4 multidisciplinary child abuse team for the county in which the entity pro-
5 poses to provide services. The application shall:

6 “(a) Describe the services to be funded with moneys from the Child Abuse
7 Multidisciplinary Intervention Program according to the coordinated child
8 abuse multidisciplinary intervention plan and the anticipated outcomes in
9 terms of benefits to children and families; and

10 “(b) Describe how the services further the goals and purposes of ORS
11 418.747, 418.790 and 418.792.

12 “(7)(a) A designated entity providing services according to a coordinated
13 child abuse multidisciplinary intervention plan funded with moneys from the
14 Child Abuse Multidisciplinary Intervention Program shall submit an annual
15 report to the county multidisciplinary child abuse team. A multidisciplinary
16 child abuse team shall submit an annual report to the Child Abuse Multi-
17 disciplinary Intervention Program.

18 “(b) The annual report filed by the county multidisciplinary child abuse
19 team must:

20 “(A) Document how the moneys were utilized and describe to what extent
21 the services were able to meet anticipated outcomes in terms of benefits to
22 children and families.

23 “(B) Include local and state issues and recommendations relating to the
24 prevention of child fatalities identified in the fatality review process under
25 ORS 418.785.

26 “(c) A county multidisciplinary child abuse team receiving a report from
27 a designated entity shall review the report and take into account success of
28 the entity at meeting service outcomes before making future recommen-
29 dations regarding allocation of moneys.

30 “(d) The Child Abuse Multidisciplinary Intervention Program shall review

1 reports received under this section before making future eligibility and al-
2 location decisions and when evaluating services funded under this section.

3 “(8) Two or more county multidisciplinary child abuse teams may join
4 together to develop joint child abuse multidisciplinary intervention plans.
5 The joint intervention plans shall be submitted as provided in subsection (5)
6 of this section.

7 “(9) The Child Abuse Multidisciplinary Intervention Program may adopt
8 rules to carry out the provisions of ORS 418.751 and this section including,
9 but not limited to, the following:

10 “(a) Notices and time limits for applications;

11 “(b) Method of review and the role of advisory bodies; and

12 “(c) Reallocation of moneys not applied for or disbursed.

13 **“SECTION 4.** ORS 418.786 is amended to read:

14 “418.786. (1) To accomplish the purpose described in ORS 418.780, with the
15 assistance of the Advisory Council on Child Abuse Assessment, the admin-
16 istrator of the Child Abuse Multidisciplinary Intervention Program shall
17 develop and administer a grant program, **separate from the grant program**
18 **described in ORS 418.746**, to establish and maintain regional assessment
19 centers and community assessment centers under ORS 418.746 to 418.796.

20 **“(2) The Child Abuse Multidisciplinary Intervention Program, with**
21 **the advice of the Advisory Council on Child Abuse Assessment created**
22 **by ORS 418.784, shall allocate moneys from the Child Abuse Assess-**
23 **ment Account established in section 2 of this 2019 Act to eligible**
24 **community assessment centers under ORS 418.746 to 418.796. The**
25 **moneys shall be allocated by the same formula as, or a formula similar**
26 **to, the formula used by the Attorney General for equitable distribution**
27 **of the account for victims’ assistance programs under ORS 147.227 (1).**
28 **Moneys allocated under this subsection may not be used as replace-**
29 **ment revenues for currently available funds previously allocated by**
30 **the county for child abuse assessments.**

1 **“SECTION 5.** ORS 418.788 is amended to read:

2 “418.788. (1) Subject to the availability of funds under the provisions of
3 **ORS 418.786 and** 418.796, The administrator of the Child Abuse Multidisci-
4 plinary Intervention Program shall make grants for the establishment and
5 maintenance of regional assessment centers or community assessment cen-
6 ters.

7 “(2) A public or private agency may apply to the administrator for a grant
8 to establish and maintain a regional assessment center or community as-
9 sessment center under ORS 418.746 to 418.796. The administrator may con-
10 solidate applications from more than one public or private agency or may
11 return the application with the recommendation that the application be
12 consolidated.

13 “(3) The administrator shall by rule establish criteria for awarding grants
14 to establish and maintain regional assessment centers or community assess-
15 ment centers under ORS 418.746 to 418.796, including but not limited to:

16 “(a) Expenses eligible for reimbursement from funds under **ORS 418.786**
17 **and** 418.796;

18 “(b) The extent to which the applicant’s proposed assessment center will
19 best accomplish the purposes of ORS 418.746 to 418.796;

20 “(c) The extent to which an applicant meets criteria for receiving a grant
21 to establish and maintain a regional assessment center or community as-
22 sessment center; and

23 “(d) For a regional assessment center, the extent to which the applicant’s
24 proposed assessment center meets the documented needs of the communities,
25 community assessment centers and county multidisciplinary child abuse
26 teams in the region or regions to be served by the center.

27 “(4) The administrator is not required to fund any grant in the total
28 amount requested in the application.

29 **“SECTION 6.** ORS 418.796 is amended to read:

30 “418.796. The Advisory Council on Child Abuse Assessment may solicit

1 and accept contributions of funds and assistance from the United States, its
2 agencies or from other sources, public or private, and agree to conditions
3 not inconsistent with the purposes of ORS 418.746 to 418.796. All funds re-
4 ceived are to aid in financing the functions of the advisory council and the
5 purposes of ORS 418.746 to 418.796 [*and shall be deposited in the General*
6 *Fund of the State Treasury to the credit of a separate account and are con-*
7 *tinuously appropriated to the Child Abuse Multidisciplinary Intervention*
8 *Program established by ORS 418.783 for the purposes of ORS 418.746 to*
9 *418.796*]. **The advisory council may deposit moneys the advisory council**
10 **collects under this section into the Child Abuse Multidisciplinary**
11 **Intervention Account under ORS 418.746 or the Child Abuse Assess-**
12 **ment Account under section 2 of this 2019 Act.**

13 **SECTION 7.** ORS 147.391 is amended to read:

14 “147.391. Notwithstanding ORS 147.390, when the moneys provided from
15 the Criminal Injuries Compensation Account for the purposes of ORS 147.390
16 are expended for any cumulative time period within any biennium, the
17 Criminal Injuries Compensation Account shall have no further obligations
18 under ORS 147.390 for that time period. However, if [*the Criminal Injuries*
19 *Compensation Account has unexpended moneys provided for at the end of any*
20 *biennium, the balance shall*] **at the end of the biennium there are unex-**
21 **pended moneys in the account and those unexpended moneys were al-**
22 **located to the account for the purposes of ORS 147.390, the balance of**
23 **those unexpended moneys may be transferred to the account created by**
24 **ORS 418.796.**

25 **SECTION 8.** **In addition to and not in lieu of any other appropri-**
26 **ation, there is appropriated to the Department of Justice, for the**
27 **biennium beginning July 1, 2019, out of the General Fund, the amount**
28 **of \$6,000,000 for deposit in the Child Abuse Assessment Account es-**
29 **tablished in section 2 of this 2019 Act.**

30 **SECTION 9.** (1) **The Department of Human Services shall distrib-**

1 **ute to the Center for the Prevention of Abuse and Neglect \$600,000**
2 **between July 1, 2019, and June 30, 2020, and \$400,000 between July 1,**
3 **2020, and June 30, 2021, for the Oregon Child Abuse Prevalence Study.**

4 **“(2) The Department of Human Services shall require the Center for**
5 **the Prevention of Abuse and Neglect to spend not more than 10 per-**
6 **cent of the funds distributed under subsection (1) of this section to pay**
7 **the University of Oregon for facilities and administrative costs.**

8 **“SECTION 10. There is appropriated to the Department of Human**
9 **Services, for the biennium beginning July 1, 2019, out of the General**
10 **Fund, the amount of \$1,000,000 for distribution as specified in section**
11 **9 of this 2019 Act.”.**

12 In line 4, delete “1” and insert “11”.

13 In line 9, delete “2” and insert “12”.

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