

Requested by Representative NATHANSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 3208**

1 On page 2 of the printed bill, after line 33, insert:

2 **“SECTION 3. (1) The Department of Human Services shall study**
3 **provisions of state law relating to investigations of abuse of a child in**
4 **care, as defined in ORS 418.257, and make recommendations, in both**
5 **narrative form and in the form of requested draft statutory language,**
6 **for the enactment of statutes or for the amendment or repeal of stat-**
7 **utes or session laws as necessary to allow the department to adopt,**
8 **by rule, a child in care abuse investigation framework that is con-**
9 **sistent with national models for child safety investigations.**

10 **“(2) The recommendations under subsection (1) of this section must**
11 **emphasize:**

12 **“(a) Utilization of a graduated process of review and accountability**
13 **in lieu of findings that reports of abuse are substantiated, unsubstan-**
14 **tiated or inconclusive;**

15 **“(b) Implementation of a learning culture that is constantly im-**
16 **proving and oriented toward child safety, workforce skills development**
17 **and retention of high quality employees;**

18 **“(c) Improvements in child safety by empowering employees to**
19 **proactively monitor the workplace and participate in safety efforts in**
20 **the work environment; and**

21 **“(d) The establishment of rules and benchmarks so that both the**

1 organization providing services to a child in care, as defined in ORS
2 418.257, and its people are held accountable while focusing on risk,
3 systems design, human behavior and child safety.

4 “(3) The recommendations under subsection (1) of this section may
5 incorporate a graduated system of enforcement, including escalating
6 enforcement based on the following criteria:

7 “(a) Abuse resulting from an inadvertent action based on human
8 error;

9 “(b) Abuse resulting from a behavioral choice that caused risk with
10 lack of intent;

11 “(c) Abuse resulting from a behavioral choice to consciously disre-
12 gard policies and practices, creating a substantial and unjustifiable
13 risk; and

14 “(d) Abuse resulting from egregious at-risk behavior or intentional
15 choice to harm.

16 “(4) The department shall submit a report on its findings to an ap-
17 propriate interim committee of the Legislative Assembly no later than
18 September 15, 2019.”.

19 In line 34, delete “3” and insert “4”.

20 In line 40, delete “4” and insert “5” and delete “3” and insert “4”.

21 In line 42, delete “5” and insert “6”.

22 On page 3, line 4, delete “6” and insert “7”.

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