

# Update on Implementation of 2021 Senate Bills 707, 710 and 749

Senate Interim Committee on Human Services, Mental Health & Recovery  
January 13, 2022

---

Rebecca Jones Gaston, Director, Child Welfare

Lacey Andresen, Deputy Director of Program & Policy, Child Welfare

Chuck Hibner, Director, Office of Training, Investigations & Safety (OTIS)

Tom van der Veen, Children's Care Licensing Program Manager, OTIS

# SB 707

---

1. Overview
2. Implementation
3. Current status

# Overview

---

- Provide children who were placed by ODHS in an out-of-state residential facility, between January 1, 2016 and June 30, 2020, and their representatives, notices of their rights to request information and to seek civil remedy for negligent treatment.
- ODHS is required to:
  - Maintain these records for 20 years
  - Provide full records received upon request
- Provider records requests were submitted shortly after bill passage on July 14, 2021
- Child communication recommendations were received by a youth advocacy organization representing children with lived experience → incorporated into a cover letter which accompanied each legal notice



# Implementation and Current Status

---

- Actions taken:

ODHS reached out to children and young people placed out-of-state between January 1, 2016 to June 30, 2020 to let them know of their rights.

- 149 children were placed, and 8 children were already in out-of-state facilities. 157 total children from Jan 1, 2016 to June 30, 2020
- 463 children/representatives were notified of their rights to request their records
- 13 children/representatives have requested their records

Requested to obtain all records from out-of-state residential facilities

- 187 records were requested from out-of-state residential facilities
- 164 records have been received by ODHS
- 13 more are expected in the next few weeks

# SB 710

---

1. Overview
2. Engagement, Education & Outreach
3. Policy Development
4. Training

# Overview

---

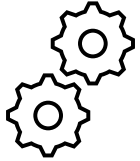
- Regulation regarding restraint and seclusion of children in care; and new licensing requirements for providers of secure transportation.

Restraint	Seclusion
Physical restriction of a child in care's actions or movements by holding the child or using pressure or other means.	Confinement of a child in care alone in a room from which the child is prevented from leaving by any means.

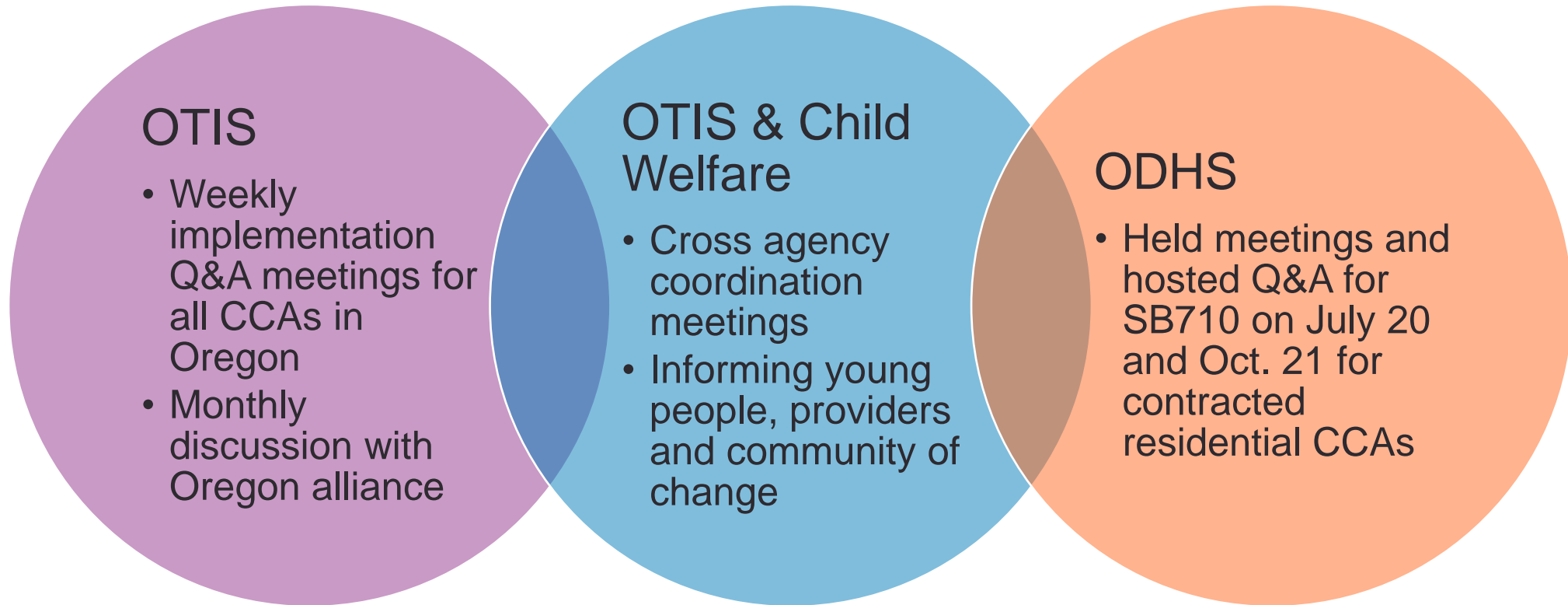
- **SB 710 includes:**
  - Establishes expectations of what is allowable and not permissible regarding restraint and seclusion.
  - Training requirements for those working in child caring agencies
  - Quarterly reports from Child Caring Agencies (CCAs)
  - Licensing requirements for secure transport companies as CCAs

# Engagement, Education & Outreach

---



- Making sure coordination happens across agency with community voice at the table



# Policy Development

---

- Sept. 1 - OTIS filed emergency rules outlining the new and upcoming CCA requirements and reflecting change in statute involving restraints.

- Nov. 1 – Temporary rules related to secure transport went into effect.
- Nov. 3 - Rules Advisory Committee for these temporary rules held.

- Dec. 15 – Public hearing for temporary rules related to SB 710 held

- Feb. - Permanent rules related to SB 710 expected to go into effect

- July 1 – Final phase of SB 710 becomes effective

September 2021

November 2021

December 2021

February 2022

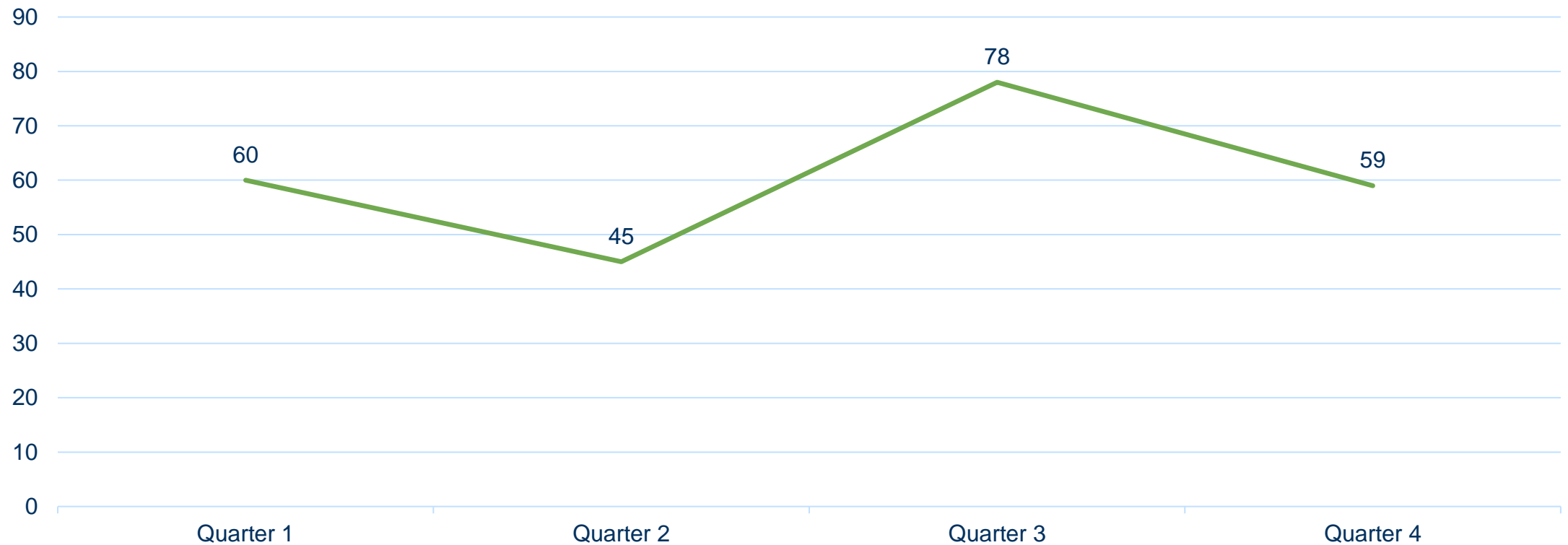
July 2022



# Investigation results

---

## Wrongful Restraint Allegation for 2021



# Training

---

American Rescue Plan Act (ARPA) funds for Crisis Prevention Institute (CPI) training reimbursements are continuing. \$81,000 from these funds have, to date, resulted in:

- Series of Train the Trainer opportunities with CPI sponsored by OTIS set for later this year.
  - Informational webinar held in September 2021
  - 8 new Certified Crisis Prevention Institute Instructors
  - 5 certification renewal Crisis Prevention Institute Instructors
  - 47 new Crisis Prevention Institute Trainees
  - 68 renewed Crisis Prevention Institute Trainees



# SB 749

---

1. Overview
2. Status and Looking Ahead

## SB 749- Overview

---

- Requires professionals, often referred to as “educational consultants”, who provide referrals to CCAs be registered as referral agents with ODHS
- This bill:
  - Places expectations around the registration and renewal of referral agents
  - Outlines the expectations and research referral agents are to conduct prior to referring to a CCA.
  - Provides clients with civil recourse options.
- Effective January 1, 2022

# SB 749- Status & Looking Ahead

---

- OTIS drafted temporary rules effective October 8, 2021
- Outreach and engagement:
  - Extensive efforts to reach referral agents
  - Web page with information for referral agents
  - Informal workgroup to gather feedback
  - Dedicated Child Care Licensing Program staff to work with agents as they file to become registered.
- To date:
  - 5 individuals have submitted applications to become registered
  - 4 are registered



**Thank You**

---