

SB 562 STAFF MEASURE SUMMARY

Carrier: Sen. Gelser

Senate Committee On Human Services, Mental Health and Recovery

Action Date: 02/25/21

Action: Do pass.

Vote: 3-2-0-0

Yeas: 3 - Gelser, Lieber, Taylor

Nays: 2 - Anderson, Robinson

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: C. Ross, Counsel

Meeting Dates: 2/18, 2/25

WHAT THE MEASURE DOES:

Enunciates state policies prohibiting retaliation against any youth for communicating about their experience receiving child welfare services and prohibiting disqualification of persons from being child welfare service providers because they have experienced the child welfare system. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Youth perceptions regarding retaliation; applicant perceptions regarding disqualification from employment
- Frank communications necessary to improve child welfare system
- Reassuring youth; confidence in government

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Legislative Assembly's express intent with respect to foster children's rights to participate in decision making and to express themselves about care includes a right to complain without fear of retaliation; a right to current contact information for designated individuals who facilitate complaints; and a right to access a hotline 24/7 to assert grievances. The Department of Human Services (DHS) is required to maintain the Oregon Foster Children's Bill of Rights in conformity with the Assembly's express intent, pursuant to Senate Bill 123 (2013). There is currently no specific policy statement condemning retaliation against youth who share their experiences about receiving child welfare services.

Both federal and state law prohibit discrimination in employment based on race, color, national origin, religion, sex, family status, and physical and mental disability. Oregon further prohibits discrimination based on a number of other circumstances, including marital status, sexual orientation, and the source of a person's income. There is currently no express policy statement with respect to potential employment discrimination against persons with direct experience in the child welfare system who seek employment in a child welfare profession.

Senate Bill 562 declares policies prohibiting retaliation against youth who communicate about their experiences receiving child welfare services and against the disqualification of persons from being child welfare service providers because they have experience receiving child welfare services.