

# DRAFT

## SUMMARY

Digest: The Act directs DHS to establish a program to provide treatment to children with high needs who are in DHS custody. (Flesch Readability Score: 64.6).

Directs the Department of Human Services to establish an Emergency High Acuity Youth Initiative program. Directs the department to enter into contracts with up to 10 child-caring agencies to provide residential services and supports to children in the protective custody of the department.

Directs the department to enter into a contract with a provider association that represents a minimum number of child-caring agencies to facilitate the sharing of data and provide recommendations to the department.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to children in care; and declaring an emergency.

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

**SECTION 1. (1) As used in this section, “child-caring agency” has the meaning given that term in ORS 418.205.**

**(2) The Department of Human Services shall administer an Emergency High Acuity Youth Initiative program for the provision of care and services to children with high acuity needs who are in the protective custody of the department. The department shall enter into contracts with no more than 10 child-caring agencies to provide and coordinate the provision of services and supports for children with high acuity needs who are in the protective custody of the department, including health care, mental health treatment, behavioral health and substance use disorder treatment, residential therapeutic services and post-discharge community and wraparound services.**

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.

1 (3) Contracts entered into under this section must, at a minimum:

2 (a) Require that the child-caring agency be able to provide residen-  
3 tial services and supports for up to 12 children at a time;

4 (b) Provide that the department shall pay the child-caring agency  
5 a flat rate of \$1,200 per day per child the child-caring agency is capable  
6 of providing residential services and supports to, regardless of whether  
7 the child-caring agency is at maximum capacity, to ensure that ap-  
8 propriate emergency placement options are available when needed;

9 (c) Provide that child-caring agency staff may not be paid less than  
10 \$30 per hour;

11 (d) Be for an initial two-year term with an option to extend the  
12 term by no more than two years, during which time the reimburse-  
13 ment rate described in paragraph (b) of this subsection must be ad-  
14 justed for inflation;

15 (e) Require the child-caring agency to provide quarterly reports to  
16 the department regarding, at a minimum, patient outcomes;

17 (f) Require the child-caring agency to continue to provide or to co-  
18 ordinate the provision of services and supports to each child dis-  
19 charged from the child-caring agency to ensure continuity of services  
20 and wraparound supports for the child and the child's family; and

21 (g) Include incentives if the child-caring agency meets certain  
22 benchmarks established by the department by rule.

23 (4) No later than September 15 of each year, the department shall  
24 submit, to the interim committees of the Legislative Assembly related  
25 to human services, a report on the contracts entered into under this  
26 section, including anonymized data on children's outcomes, and may  
27 include recommendations for legislation.

28 SECTION 2. The Department of Human Services shall contract with  
29 a provider association that represents no fewer than 25 child-caring  
30 agencies, as defined in ORS 418.205, to facilitate data sharing among  
31 child-caring agencies and to provide recommendations to the depart-

1 ment regarding best practices, proposals for improvements in the sys-  
2 tems of care for children in the protective custody of the department  
3 and ways to improve outcomes for such children and the families of  
4 such children.

5 **SECTION 3.** (1) The Department of Human Services shall enter into  
6 the contracts described in sections 1 and 2 of this 2024 Act no later  
7 than 60 days after the operative date set forth in section 5 of this 2024  
8 Act.

9 (2) The report described in section 1 of this 2024 Act is first due on  
10 September 15, 2025.

11 **SECTION 4.** In addition to and not in lieu of any other appropri-  
12 ation, there is appropriated to the Department of Human Services, for  
13 the biennium ending June 30, 2025, out of the General Fund, the  
14 amount of \$350,000, which may be expended for carrying out the pur-  
15 poses of section 2 of this 2024 Act.

16 **SECTION 5.** (1) Sections 1 and 2 of this 2024 Act become operative  
17 on July 1, 2024.

18 (2) The Department of Human Services may take any action before  
19 the operative date specified in subsection (1) of this section that is  
20 necessary to enable to the department to exercise, on and after the  
21 operative date specified in subsection (1) of this section, all of the du-  
22 ties, functions and powers conferred on the department by sections 1  
23 and 2 of this 2024 Act.

24 **SECTION 6.** This 2024 Act being necessary for the immediate pres-  
25 ervation of the public peace, health and safety, an emergency is de-  
26 clared to exist, and this 2024 Act takes effect on its passage.

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