

SB 93 A STAFF MEASURE SUMMARY

Carrier: Sen. Weber

Senate Committee On Human Services**Action Date:** 04/03/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 4-1-0-0**Yeas:** 4 - Gelser Blouin, Manning Jr, Prozanski, Weber**Nays:** 1 - Robinson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Iva Sokolovska, LPRO Analyst**Meeting Dates:** 3/29, 4/3**WHAT THE MEASURE DOES:**

Names the Department of Human Services (DHS) a party to proceedings in the juvenile court if DHS has taken the child into protective or temporary custody. Defines "activities of daily living." Excludes treatment and assistance with activities of daily living from services and supports provided in community-based structured housing. Directs owners of a community-based structured housing facility to register their name and address with the Oregon Health Authority (OHA) if the facility provides services to individuals with mental, emotional, behavioral, or substance use disorders. Directs owners of a community-based structured housing facility to register their name and address with DHS if the facility provides services and support to elderly or residents with disabilities. Permits DHS, in addition to OHA, to establish standards for the operation of facilities in its jurisdiction, provide evidence of the registration, impose civil penalties, suspend or revoke registration, and deny the issuance of registration. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Participating in hearings when a child is in custody of the Department of Human Services
- Temporary custody and protective custody
- Office of Aging and People with Disabilities authority over room and board programs
- Services that room and board programs provide

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Oregon law (ORS 419B.875) recognizes the following as parties to proceedings in juvenile court: the child or ward; their parents or guardian; a putative father; the state; the juvenile department; court appointed special advocates; the Indian child's tribe; and the Indian child's Indian custodian. The Department of Human Services (DHS) and child-caring agencies can only be a party to proceedings in juvenile court if the child-caring agency has temporary custody of the child or ward.

Oregon law (ORS 443.485) requires any person that owns or operates a community-based structured housing facility offered to the general public to register with the Oregon Health Authority (OHA). OHA is responsible for investigating complaints of abuse in all registered facilities (ORS 443.500) and imposing civil penalties and suspending or revoking registrations.

Senate Bill 93 A permits DHS and child-caring agencies to be parties to proceedings in juvenile court if the department has taken the child or ward into protective custody or if the department or agency has temporary custody of the child or ward. Senate Bill 93 A directs owners of a community-based structured housing facility to register their name and address with DHS if the facility provides services and support to elderly or residents with

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disabilities.