

**SB 823 A STAFF MEASURE SUMMARY****Carrier:** Sen. Gelser Blouin**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:** 3/27, 4/3**WHAT THE MEASURE DOES:**

Requires completed abuse investigation reports to be available for inspection upon written request for the purpose of the effective oversight, regulation, and improvement of state-authorized programs. Requires completed abuse investigation report to reflect the investigation activities and abuse findings or determinations and specifies required content. Makes complete abuse investigation reports confidential, specifies exemptions. Specifies information to be redacted from a completed abuse investigation report before permitting inspection. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Records of completed investigation report availability currently
- Exceptions for availability of completed abuse reports
- Information redacted from completed reports

**EFFECT OF AMENDMENT:**

Removes requirement for disclosure of reports of investigations of child abuse occurring at specified state-authorized programs in response to public records request. Requires completed abuse investigation reports to be available for inspection upon written request for the purpose of the effective oversight, regulation, and improvement of state-authorized programs. Requires completed abuse investigation report to reflect the investigation activities and abuse findings or determinations and specifies required content. Makes complete abuse investigation reports confidential, specifies exemptions. Specifies information to be redacted from a completed abuse investigation report before permitting inspection.

**BACKGROUND:**

The Department of Human Services (DHS) is only authorized to release child abuse and medical records under specific circumstances (ORS 419B.035): to a law enforcement agency or a child abuse registry; to any medical personnel that is examining, caring or treating a child; attorneys of record for the child or child's parent or guardian; citizen review boards established by the Judicial Department; the Office of Child Care; the Office of Children's Advocate; the Teacher Standards and Practices Commission; Disability Rights Oregon; and the Department of Education. DHS can choose to not disclose the addresses and other identifying information about other children, witnesses, victims, or other persons named in the report or record. DHS can also make certain reports and records (ORS 419B.010 to 419B.050) available to entities when it is determined that it is necessary to administer its child welfare services; is in the best interests of the affected child; and is necessary to investigate, prevent, or treat child abuse and neglect.

Senate Bill 823 A requires completed abuse investigation reports to be available for inspection upon written request.