

SB 210 B STAFF MEASURE SUMMARY

Carrier: Rep. Andersen

House Committee On Early Childhood and Human Services

Action Date: 05/03/23

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 9-1-0-0

Yeas: 9 - Andersen, Cramer, Elmer, Hartman, Nelson, Neron, Nguyen H, Reynolds, Scharf

Nays: 1 - Hieb

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/17, 5/3

WHAT THE MEASURE DOES:

Creates exceptions to laws regarding confidentiality of identifying information of persons receiving public assistance to allow mandatory reporters to disclose information in order to report suspected abuse.

ISSUES DISCUSSED:

- Laws regarding confidentiality of records collected when processing applications for benefits
- Responsibilities of mandatory reporters of domestic violence and child abuse
- Consequences of failing to report suspected abuse

EFFECT OF AMENDMENT:

Removes requirement for Department of Human Services to conduct study on exceptions to mandatory abuse requirements. Removes sunset.

BACKGROUND:

Oregon law requires that records kept by the Department of Human Services (DHS) regarding individuals who apply for and receive public assistance be kept confidential (ORS 411.320). When victims of domestic violence apply for or receive assistance under the Temporary Assistance for Needy Families program (TANF), DHS must ensure that local caseworkers are able to assist domestic violence victims and refer them to counseling and support services. DHS must also waive or modify any eligibility requirements that may make it more difficult for victims to escape domestic violence or place them at risk of further or future domestic violence. Any information received by DHS in these processes about victims of domestic violence must be kept confidential (ORS 411.117).

Oregon law also obligates certain individuals such as doctors, teachers, government employees, elected officials, social workers, and caregivers, who have close contact with potentially vulnerable populations, including children (ORS 419B.010), elders (ORS 124.060), patients in long term care (ORS 441.640), and adults with mental illness or developmental disabilities (ORS 430.765), to report instances of abuse of those populations to law enforcement and DHS. These reports are recorded and investigated by the department, which may also pursue criminal charges.

Senate Bill 210 B creates exceptions to certain confidentiality protection laws to allow mandatory reporters to disclose information when reporting suspected abuse.