

Enrolled
Senate Bill 794

Sponsored by COMMITTEE ON HUMAN SERVICES

CHAPTER

AN ACT

Relating to adoption placement services; amending ORS 418.528; and declaring an emergency.

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

SECTION 1. ORS 418.528 is amended to read:

418.528. (1) A program must prepare and submit to the Department of Human Services a quarterly report detailing the program's use of restraint and involuntary seclusion for the preceding three-month period, including, at a minimum:

- (a) The total number of incidents involving restraint.
- (b) The total number of incidents involving involuntary seclusion.
- (c) The total number of involuntary seclusions in a locked room.
- (d) The total number of rooms available for use by the program for involuntary seclusion and a description of the dimensions and design of the rooms.
- (e) The total number of children in care placed in restraint.
- (f) The total number of children in care placed in involuntary seclusion.
- (g) The total number of incidents under paragraph (a) or (b) of this subsection that resulted in reportable injuries.
- (h) The number of children in care who were placed in restraint or involuntary seclusion more than three times during the preceding three-month period and a description of the steps the program has taken to decrease the use of restraint and involuntary seclusion.
- (i) The number of incidents in which an individual who placed a child in care in a restraint or involuntary seclusion was not certified as described in ORS 418.529 or trained, as required by the department by rule, in the use of the type of restraint or involuntary seclusion used.
- (j) The demographic characteristics of the children in care who the program placed in a restraint or involuntary seclusion, including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual child in care.

(2)(a) If a program provides services in more than one location, the reports under subsection (1) of this section must separate the data for each location that serves five or more children in care.

(b) If the site-specific data for a given location is not provided under paragraph (a) of this subsection because the program serves fewer than five children in care at that location, the program's report must include a notation indicating the aggregate number of children in care served by the program across all of the program's locations and the reporting requirements under paragraph (a) of this subsection continue to apply to any of the program's other locations serving five or more children in care.

(3)(a) The department shall make each quarterly report it receives under this section available to the public on the department's website.

(b) Each program that submits a report under this section shall make its quarterly report available to the public upon request at the program's main office and on the program's website if the program maintains a website.

(c) Each program shall provide notice regarding how to access the quarterly reports to the parents or guardians of children in care in the program. The program shall provide the notice upon the child in care's admission and at least two times each year thereafter.

(4) The reporting requirements under subsection (1) of this section do not apply to a program that provides adoption placement services but does not otherwise provide care or services to children.

SECTION 2. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by Senate March 2, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 25, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State