

# HB 3256: I/DD Child Foster Care Homes

## Summary

**HB 3256 will allow a child, with approval from the Oregon Department of Human Services, to be attended to by their parents while they are receiving care from an intellectual and developmental disability (I/DD) child foster home.**

## What's at Stake

Every child is filled with tremendous promise. We all have an obligation to nurture that promise by allowing, in appropriate circumstances, continued communication between a child in foster care and their biological parent(s).

## Risk

Oregon's current laws do not allow any exception to the general rule that a child in an I/DD child foster home may not be attended to by their parent. There are many reasons an exception to that rule may be in the child's best interest. ODHS does not currently have the ability to make those exceptions.

The law correctly requires that a child may not live in an I/DD child foster home that is maintained by a relative by blood or marriage. But it does not stop a relative by adoption from maintaining a child foster home.

ODHS also lacks authority to approve a youth's residing in an I/DD child foster home past the age of 22. Again, there are many reasons it may be in the youth's best interest to remain in such a home and have additional time to seamlessly transition into another setting of their choice.

## Solution

HB 3256 would change the definition of "developmental disability child foster home" to include homes where a child may be attended by their parent or guardian, with ODHS approval. While allowing visitation in this way, HB 3256 will also keep in place the prohibition on an I/DD child foster home from being *maintained* by the child's relatives, and expand that to include adoptive relatives as well as relatives by blood and marriage. Finally, ODHS will be have the flexibility to, when appropriate, approve a child's staying in an I/DD foster home after the age of 18, until the age of 26.

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