



# Oregon

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## HB 3256 - Frequently Asked Questions

**Question: The bill summary mentions a prohibition on parents attending to their children, but is that really what this bill is intended to do?**

Answer: The bill does not seek to *create* a new prohibition, but rather would *loosen* an existing one. Under current law, parents are prohibited from “attending to” (i.e., providing support to) their child while the child is receiving services in a DD child foster home, with no exceptions. This bill would allow a parent or guardian to attend to their child, subject to ODHS approval. This would allow, for example, extended visitation, and support by the parent; it would allow them to work alongside a foster care provider and learn caregiving skills so that the child could successfully transition back to living in the parent’s home.

**Question: In what scenarios would this bill be likely to apply?**

Answer: In any scenario involving a child who is placed in a DD child foster home, the bill could potentially support parents who want their child to return home or who want to spend more time with their child in the DD child foster home. There are three main scenarios in which a child is placed in a DD child foster home:

1. A child in the custody of Child Welfare is placed in the home

In this scenario, ODHS Child Welfare is the legal guardian of a child who was removed from their family home due to allegations of abuse or neglect. The biological parents of the child attend court-ordered parenting classes, and the child’s Permanency Plan is aimed toward reunification with the biological parents. HB 3256 would allow the biological parents to work with foster parents in the foster home to gradually transition the child back to the family home. Part of this transition includes the parents visiting their child at the foster home to begin rebuilding their parental relationship with child and learn about the routines and supports in the foster home that have helped, for example, manage the child’s behaviors. The parents would observe the foster parent providing behavior supports, and the parents learn how to successfully implement those supports by being mentored and trained by the foster provider. The child then moves back to the family home and the parents continue to implement the positive behavior support practices.

Under existing law, with enough support and supervision, a parent can *visit* the child foster home and observe the foster parents working with the child. However, they are not able to “attend to” the child (i.e., provide attendant care) and work on building the hands-on parenting skills needed to successfully transition the child home. Having the flexibility HB 3256 would grant would allow the parent to work on these skills by attending to the child with the foster parents’ support. This would create a more supportive transition for the child to return home, where they can successfully remain in the parent’s permanent care.

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2. A child is voluntarily placed in the home by the parent

It is not uncommon for a parent of a child with DD to determine that they do not have the skills to successfully meet the medical and behavior support needs of their child. In such a situation, one of the service settings available is a DD child foster home. The parent signs a Child Placement Agreement (“Agreement”) with ODDS that indicates the parents are voluntarily placing their child in a child foster home. The terms of the Agreement include, but are not limited to, the following: (1) the parents delegate certain responsibilities to ODDS and foster parents to support the child; (2) parents maintain connection and personal contact with their child while in placement and work in partnership with ODDS to develop a plan of support services to enable their child’s return home.

For the child to successfully return home to the parents, the parents will visit their child at the foster home to observe and learn about the routines and supports in the foster home. HB 3256 would make it so that, during those visits, parents could build their skills while working in partnership with the foster parent to implement the medical and behavior supports that their child needs. Once the parents become comfortable and confident in implementing the supports in the foster home, the child would be able to return to the family home where the parents can continue applying the knowledge and skills they learned while working in partnership with the foster parent.

3. A parent with an intellectual or developmental disability (I/DD) whose child with I/DD requires foster care services

In this scenario, an adult *parent* who experiences I/DD voluntarily places their child (who is also eligible for I/DD services) in a child foster home. The parent then moves into the child foster home as an occupant (not receiving foster care services, nor providing them) to be closer to their child and the support parent/child relationship. The child receives 24-hour care and supervision from the foster parent.

HB 3256 would allow the child’s biological parent to work in partnership with the foster parent to build and maintain parent/child bond and build parenting skills. For example, the foster parent models changing the child’s diaper and the parent is involved in some of the diaper changing tasks to build their skills. The goal may be to have the parent build their skills to take on more tasks so the parent and child can move to a different service model (e.g., the parent and child living together with the child receiving in-home support). The flexibility provided by HB 3256 would open the door for ODDS to build future supports and service models that help parents with I/DD and their children remain together.