

HOUSE AMENDMENTS TO HOUSE BILL 4086

By COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES

February 21

1 On page 1 of the printed bill, line 2, after “children;” delete the rest of the line and insert “and
2 declaring”.

3 Delete lines 5 through 23 and delete pages 2 through 5 and insert:

4 **“SECTION 1. (1) The Department of Human Services shall commission a study on the
5 scope of child abuse investigations in this state. The department shall contract with a
6 facilitator who specializes in public policy to conduct the study. The contract must require
7 that the facilitator, in consultation with the advisory committee established under subsection
8 (4) of this section:**

9 **“(a) Provide a presentation of the facilitator’s preliminary findings and recommendations,
10 including any recommendations for legislation, to the interim legislative committees on child
11 welfare no later than September 30, 2024.**

12 **“(b) Submit a final report on the facilitator’s findings and recommendations, including
13 recommendations for legislation, to the interim committees on child welfare, in the manner
14 provided in ORS 192.245, no later than September 15, 2025.**

15 **“(2) The study must at a minimum:**

16 **“(a) Identify the current scope of mandatory child abuse investigations that must be
17 conducted by the Department of Human Services.**

18 **“(b) Identify gaps or duplication of work in the state’s response to concerns of child
19 abuse.**

20 **“(c) Determine the national best practices on trauma-informed child abuse jurisdiction,
21 child abuse definitions, child abuse investigations, child abuse multidisciplinary teams and
22 due process.**

23 **“(3) The facilitator’s recommendations must at a minimum describe or propose:**

24 **“(a) Recommended jurisdiction of child abuse investigations conducted by the depart-
25 ment.**

26 **“(b) Recommended amendments to child abuse definitions.**

27 **“(c) Other recommended national best practices for investigations of child abuse by the
28 department.**

29 **“(d) Recommendations for the ongoing interdisciplinary oversight of the facilitator’s
30 findings and implementation of the facilitator’s recommendations.**

31 **“(4)(a) The department shall appoint a committee to advise the facilitator in conducting
32 the study and preparing the presentation and report described in this section. The committee
33 membership must include individuals with lived experience with child abuse, including child
34 abuse investigations, and professionals or representatives of organizations involved with
35 children. Such professionals or representatives shall include, but need not be limited to, one**

1 or more of each of the following:

2 “(A) Attorneys representing children.

3 “(B) Child care providers.

4 “(C) Child welfare certified resource parents.

5 “(D) Representatives of children’s advocacy centers, as defined in ORS 418.782.

6 “(E) Children’s behavioral health professionals.

7 “(F) Community developmental disabilities programs.

8 “(G) Representatives of county juvenile departments.

9 “(H) Representatives with extensive experience with the federal Indian Child Welfare Act
10 and Oregon Indian tribes and a deep understanding of rural and urban tribal populations,
11 appointed after consultation with the Commission on Indian Services.

12 “(I) Licensed and classified school employees and school administrators.

13 “(J) Representatives of the Oregon District Attorneys Association.

14 “(K) Representatives of the Oregon Association Chiefs of Police and Oregon State
15 Sheriffs’ Association.

16 “(L) Representatives of the Department of Education.

17 “(M) Representatives of the Department of Human Services.

18 “(N) Representatives of the Oregon Youth Authority.

19 “(O) Representatives of the Department of Justice.

20 “(P) Representatives of professionals who are licensed, certified or endorsed to provide
21 services to children.

22 “(Q) Relevant advocates for children.

23 “(R) Representatives of social justice organizations.

24 “(b) The Chief Justice of the Supreme Court shall appoint as a nonvoting member a
25 person who is a circuit court judge who hears dependency cases.

26 “SECTION 2. (1) The Department of Human Services shall commission a study of
27 Oregon’s response to children exhibiting problematic sexual behavior. The department shall
28 contract with a facilitator who specializes in public policy to conduct the study. The contract
29 must require that the facilitator, in consultation with the advisory committee established
30 under subsection (4) of this section:

31 “(a) Provide a presentation of the facilitator’s preliminary findings and recommendations,
32 including any recommendations for legislation, to the interim legislative committees on child
33 welfare no later than September 30, 2024.

34 “(b) Submit a final report on the facilitator’s findings and recommendations, including
35 any recommendations for legislation, to the interim committees on child welfare, in the
36 manner provided in ORS 192.245, no later than September 15, 2025.

37 “(2) The study must at a minimum:

38 “(a) Identify the current state of services and resources available to children exhibiting
39 problematic sexual behavior and which of those services and resources are available to chil-
40 dren under 12 years of age.

41 “(b) Identify the current state of services and resources available to the families and
42 caregivers of children exhibiting problematic sexual behavior.

43 “(c) Identify gaps in the response and services available to children exhibiting problem-
44 atic sexual behavior and to the families and caregivers of such children.

45 “(d) Determine the national best practices on trauma-informed multidisciplinary re-

1 sponses to children exhibiting problematic sexual behavior.

2 “(e) Analyze solutions to identify and provide support, treatment and resources for chil-
3 dren exhibiting problematic sexual behavior and for the families and caregivers of such
4 children.

5 “(3) The facilitator’s recommendations must at a minimum describe or propose:

6 “(a) Trauma-informed and national best practice strategies for identification of children
7 exhibiting problematic sexual behaviors;

8 “(b) Strategies and definitions to ensure a child is not identified as exhibiting problematic
9 sexual behavior as a result of the child’s:

10 “(A) Sexual orientation, gender identity or disability; or

11 “(B) Consensual sexual activity or exploration, provided the activity or exploration is not
12 criminal or abusive in nature;

13 “(c) Services and treatment for children exhibiting problematic sexual behavior, provided
14 such services and treatment are trauma-informed, family centered programs and
15 community-based;

16 “(d) Comprehensive resources and educational opportunities to support family members
17 and caregivers impacted by children exhibiting problematic sexual behavior;

18 “(e) National best practices for assessing the safety of children impacted by another
19 child’s problematic sexual behavior; and

20 “(f) Strategies to prevent and minimize out-of-home placement or incarceration of chil-
21 dren exhibiting problematic sexual behavior.

22 “(4)(a) The department shall appoint a committee to advise the facilitator in conducting
23 the study and preparing the presentation and report described in this section. The committee
24 membership must include members of families with lived experience with a child exhibiting
25 problematic sexual behavior and professionals or representatives of organizations involved
26 with children exhibiting problematic sexual behaviors. Such professionals or representatives
27 shall include, but need not be limited to, one or more of each of the following:

28 “(A) Attorneys representing children.

29 “(B) Child welfare certified resource parents.

30 “(C) Representatives of children’s advocacy centers, as defined in ORS 418.782.

31 “(D) Children’s behavioral health professionals.

32 “(E) Community developmental disabilities programs.

33 “(F) Representatives of county juvenile departments.

34 “(G) Representatives with extensive experience with the federal Indian Child Welfare Act
35 and Oregon Indian tribes and a deep understanding of rural and urban tribal populations,
36 appointed after consultation with the Commission on Indian Services.

37 “(H) Representatives of county child abuse multidisciplinary teams with existing prob-
38 lematic sexual behavior subcommittees.

39 “(I) Representatives of the Oregon District Attorneys Association.

40 “(J) Representatives of the Oregon Association Chiefs of Police and Oregon State
41 Sheriffs’ Association.

42 “(K) Representatives of the Department of Education.

43 “(L) Representatives of the Department of Human Services.

44 “(M) Representatives of the Oregon Youth Authority.

45 “(N) Representatives of the Department of Justice.

1 **“(O) Representatives of professionals who are licensed, certified or endorsed to provide**
2 **services to children.**

3 **“(P) Relevant advocates for children.**

4 **“(Q) Representatives of social justice organizations.**

5 **“(R) Licensed and classified school employees and school administrators.**

6 **“(b) The committee must include as a nonvoting member a person appointed by the Chief**
7 **Justice of the Supreme Court who is a circuit court judge who hears dependency cases.**

8 **“SECTION 3. Sections 1 and 2 of this 2024 Act are repealed on January 2, 2026.**

9 **“SECTION 4. This 2024 Act being necessary for the immediate preservation of the public**
10 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
11 **on its passage.”.**

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