

House Bill 4087

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Early Childhood and Human Services for Representative Lisa Reynolds)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act directs DHS to establish a program to provide treatment to children with high needs who are in DHS custody. (Flesch Readability Score: 64.6).

Directs the Department of Human Services to establish an Emergency High Acuity Youth Initiative program. Directs the department to enter into contracts with up to 10 child-caring agencies to provide residential services and supports to children in the protective custody of the department.

Directs the department to enter into a contract with a provider association that represents a minimum number of child-caring agencies to facilitate the sharing of data and provide recommendations to the department.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to children in care; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section, "child-caring agency" has the meaning given that**
5 **term in ORS 418.205.**

6 **(2) The Department of Human Services shall administer an Emergency High Acuity**
7 **Youth Initiative program for the provision of care and services to children with high acuity**
8 **needs who are in the protective custody of the department. The department shall enter into**
9 **contracts with no more than 10 child-caring agencies to provide and coordinate the provision**
10 **of services and supports for children with high acuity needs who are in the protective cus-**
11 **tody of the department, including health care, mental health treatment, behavioral health**
12 **and substance use disorder treatment, residential therapeutic services and post-discharge**
13 **community and wraparound services.**

14 **(3) Contracts entered into under this section must, at a minimum:**

15 **(a) Require that the child-caring agency be able to provide residential services and sup-**
16 **ports for up to 12 children at a time;**

17 **(b) Provide that the department shall pay the child-caring agency a flat rate of \$1,200 per**
18 **day per child the child-caring agency is capable of providing residential services and supports**
19 **to, regardless of whether the child-caring agency is at maximum capacity, to ensure that**
20 **appropriate emergency placement options are available when needed;**

21 **(c) Provide that child-caring agency staff may not be paid less than \$30 per hour;**

22 **(d) Be for an initial two-year term with an option to extend the term by no more than**
23 **two years, during which time the reimbursement rate described in paragraph (b) of this**
24 **subsection must be adjusted for inflation;**

25 **(e) Require the child-caring agency to provide quarterly reports to the department re-**
26 **garding, at a minimum, patient outcomes;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (f) Require the child-caring agency to continue to provide or to coordinate the provision
2 of services and supports to each child discharged from the child-caring agency to ensure
3 continuity of services and wraparound supports for the child and the child's family; and

4 (g) Include incentives if the child-caring agency meets certain benchmarks established
5 by the department by rule.

6 (4) No later than September 15 of each year, the department shall submit, to the interim
7 committees of the Legislative Assembly related to human services, a report on the contracts
8 entered into under this section, including anonymized data on children's outcomes, and may
9 include recommendations for legislation.

10 **SECTION 2.** The Department of Human Services shall contract with a provider associ-
11 ation that represents no fewer than 25 child-caring agencies, as defined in ORS 418.205, to
12 facilitate data sharing among child-caring agencies and to provide recommendations to the
13 department regarding best practices, proposals for improvements in the systems of care for
14 children in the protective custody of the department and ways to improve outcomes for such
15 children and the families of such children.

16 **SECTION 3.** (1) The Department of Human Services shall enter into the contracts de-
17 scribed in sections 1 and 2 of this 2024 Act no later than 60 days after the operative date set
18 forth in section 5 of this 2024 Act.

19 (2) The report described in section 1 of this 2024 Act is first due on September 15, 2025.

20 **SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropri-
21 ated to the Department of Human Services, for the biennium ending June 30, 2025, out of the
22 General Fund, the amount of \$350,000, which may be expended for carrying out the purposes
23 of section 2 of this 2024 Act.

24 **SECTION 5.** (1) Sections 1 and 2 of this 2024 Act become operative on July 1, 2024.

25 (2) The Department of Human Services may take any action before the operative date
26 specified in subsection (1) of this section that is necessary to enable to the department to
27 exercise, on and after the operative date specified in subsection (1) of this section, all of the
28 duties, functions and powers conferred on the department by sections 1 and 2 of this 2024
29 Act.

30 **SECTION 6.** This 2024 Act being necessary for the immediate preservation of the public
31 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
32 on its passage.