

HB 4086-2
(LC 165)
2/12/24 (LAS/ps)

Requested by HOUSE COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES (at the request of Representative Lisa Reynolds)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4086**

1 On page 1 of the printed bill, line 2, after “children;” delete the rest of
2 the line and insert “and 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 com-
5 mission a study on the scope of child abuse investigations in this state.
6 The department shall contract with a facilitator who specializes in
7 public policy to conduct the study. The contract must require that the
8 facilitator, in consultation with the advisory committee established
9 under subsection (4) of this section:**

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

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

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

19 **“(a) Identify the current scope of mandatory child abuse investi-
20 gations that must be conducted by the Department of Human Services.**

21 **“(b) Identify gaps or duplication of work in the state’s response to**

1 **concerns of child abuse.**

2 **“(c) Determine the national best practices on trauma-informed**
3 **child abuse jurisdiction, child abuse definitions, child abuse investi-**
4 **gations, child abuse multidisciplinary teams and due process.**

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

7 **“(a) Recommended jurisdiction of child abuse investigations con-**
8 **ducted by the department.**

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

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

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

15 **“(4)(a) The department shall appoint a committee to advise the**
16 **facilitator in conducting the study and preparing the presentation and**
17 **report described in this section. The committee membership must in-**
18 **clude individuals with lived experience with child abuse, including**
19 **child abuse investigations, and professionals or representatives of or-**
20 **ganizations involved with children. Such professionals or represen-**
21 **tatives may include, but are not limited to, any of the following:**

22 **“(A) Attorneys representing children.**

23 **“(B) Child care providers.**

24 **“(C) Child welfare certified resource parents.**

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

27 **“(E) Children’s behavioral health professionals.**

28 **“(F) Community developmental disabilities programs.**

29 **“(G) Representatives of county juvenile departments.**

30 **“(H) Representatives of Oregon Indian tribes, appointed after con-**

1 sultation with the Commission on Indian Services.

2 “(I) Licensed and classified school employees and school adminis-
3 trators.

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

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

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

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

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

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

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

13 “(Q) Relevant advocates for children.

14 “(R) Representatives of social justice organizations.

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

18 “SECTION 2. (1) The Department of Human Services shall com-
19 mission a study of Oregon’s response to children exhibiting problem-
20 atic sexual behavior. The department shall contract with a facilitator
21 who specializes in public policy to conduct the study. The contract
22 must require that the facilitator, in consultation with the advisory
23 committee established under subsection (4) of this section:

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

28 “(b) Submit a final report on the facilitator’s findings and recom-
29 mendations, including any recommendations for legislation, to the
30 interim committees on child welfare, in the manner provided in ORS

1 **192.245, no later than September 15, 2025.**

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

3 **“(a) Identify the current state of services and resources available**
4 **to children exhibiting problematic sexual behavior and which of those**
5 **services and resources are available to children under 12 years of age.**

6 **“(b) Identify the current state of services and resources available**
7 **to the families and caregivers of children exhibiting problematic sex-**
8 **ual behavior.**

9 **“(c) Identify gaps in the response and services available to children**
10 **exhibiting problematic sexual behavior and to the families and**
11 **caregivers of such children.**

12 **“(d) Determine the national best practices on trauma-informed**
13 **multidisciplinary responses to children exhibiting problematic sexual**
14 **behavior.**

15 **“(e) Analyze solutions to identify and provide support, treatment**
16 **and resources for children exhibiting problematic sexual behavior and**
17 **for the families and caregivers of such children.**

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

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

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

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

25 **“(B) Consensual sexual activity or exploration, provided the activity**
26 **or exploration is not criminal or abusive in nature;**

27 **“(c) Services and treatment for children exhibiting problematic**
28 **sexual behavior, provided such services and treatment are trauma-**
29 **informed, family centered programs and community-based;**

30 **“(d) Comprehensive resources and educational opportunities to**

1 support family members and caregivers impacted by children exhibit-
2 ing problematic sexual behavior;

3 “(e) National best practices for assessing the safety of children im-
4 pacted by another child’s problematic sexual behavior; and

5 “(f) Strategies to prevent and minimize out-of-home placement or
6 incarceration of children exhibiting problematic sexual behavior.

7 “(4)(a) The department shall appoint a committee to advise the
8 facilitator in conducting the study and preparing the presentation and
9 report described in this section. The committee membership must in-
10 clude members of families with lived experience with a child exhibiting
11 problematic sexual behavior and professionals or representatives of
12 organizations involved with children exhibiting problematic sexual
13 behaviors. Such professionals or representatives may include, but are
14 not limited to, any of the following:

15 “(A) Attorneys representing children.

16 “(B) Child welfare certified resource parents.

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

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

20 “(E) Community developmental disabilities programs.

21 “(F) Representatives of county juvenile departments.

22 “(G) Representatives of Oregon Indian tribes, appointed after con-
23 sultation with the Commission on Indian Services.

24 “(H) Representatives of county child abuse multidisciplinary teams
25 with existing problematic sexual behavior subcommittees.

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

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

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

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

1 **“(M) Representatives of the Oregon Youth Authority.**

2 **“(N) Representatives of the Department of Justice.**

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

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

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

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

10 **“SECTION 3. Sections 1 and 2 of this 2024 Act are repealed on Jan-**
11 **uary 2, 2026.**

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

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