

# DRAFT

## SUMMARY

Digest: The Act lets DHS place Indian children in another state if certain standards are met. (Flesch Readability Score: 67.5).

Permits the Department of Human Services to place an Indian child in an out-of-state placement without requiring the placement to be licensed by or under contract with the department or to be a qualified residential treatment facility if certain standards are met.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to human services; and declaring an emergency.

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

**SECTION 1. (1) Notwithstanding ORS 418.321 or 418.322, if there is reason to know, as described in ORS 419B.636, that a child is an Indian child, the Department of Human Services may place the child in an out-of-state placement without requiring the placement to be licensed by or under contract with the department or to be a qualified residential treatment program if:**

**(a) The placement complies with the placement preferences under ORS 419B.654; and**

**(b)(A) The out-of-state placement is a youth regional treatment center operated or funded by the Indian Health Service and serves the needs of Indian children or youth; or**

**(B) The Indian child's tribe has affirmatively requested that the child be placed in the out-of-state placement.**

**(2) As used in this section:**

**(a) "Indian child" has the meaning given that term in ORS 419B.603.**

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       (b) “Qualified residential treatment program” means a program  
2 described in ORS 418.323.

3       SECTION 2. This 2026 Act being necessary for the immediate pres-  
4 ervation of the public peace, health and safety, an emergency is de-  
5 clared to exist, and this 2026 Act takes effect on its passage.