

LC 236
2026 Regular Session
12/19/25 (LAS/ps)

D R A F T

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.

1 A BILL FOR AN ACT

2 Relating to human services; and declaring an emergency.

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

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

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

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

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

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

18 (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.

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