

HOUSE AMENDMENTS TO HOUSE BILL 4058

By COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES

February 16

1 Delete lines 4 through 16 of the printed bill and insert:

2 **“SECTION 1. (1) Notwithstanding ORS 418.321 or 418.322, if there is reason to know, as**
3 **described in ORS 419B.636, that a child is an Indian child, the Department of Human Services**
4 **may place the child in an out-of-state institution meeting the criteria described in ORS**
5 **419B.654 (1)(d)(B)(iv) without requiring the institution to be licensed by or under contract**
6 **with the department or to be a qualified residential treatment program if:**

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

8 **“(b) The department provides at least 10 days’ notice to the court and the parties of the**
9 **proposed placement or, if the delay caused by providing this notice would likely result in**
10 **serious physical or emotional harm to the child, endanger the child’s life or cause loss of**
11 **placement availability, the department shall provide the notice to the court and the parties**
12 **as soon as practicable and in no event later than one business day after the child leaves this**
13 **state.**

14 **“(2) ORS 418.321 (1) to (4) or (6) does not apply to the department’s placement of a child**
15 **in an out-of-state child-caring agency if:**

16 **“(a) The placement is for the purpose of placing the child or ward in a relative foster**
17 **home or preadoptive family placement that has been selected and approved by the depart-**
18 **ment;**

19 **“(b) The department retains the sole authority to approve the foster care or preadoptive**
20 **placement of the child;**

21 **“(c) The child is not placed in a congregate care residential setting, as defined in ORS**
22 **418.322; and**

23 **“(d) The placement complies with the requirements of the Interstate Compact on the**
24 **Placement of Children.**

25 **“(3) As used in this section:**

26 **“(a) ‘Child’ has the meaning given that term in ORS 418.205.**

27 **“(b) ‘Indian child’ has the meaning given that term in ORS 419B.603.**

28 **“(c) ‘Out-of-state child-caring agency’ means a provider of children’s care or services in**
29 **a state other than Oregon that would be required to be licensed, certified or otherwise au-**
30 **thorized by the department under ORS 418.240 if the provider provided the care or services**
31 **in this state.**

32 **“(d) ‘Qualified residential treatment program’ means a program described in ORS**
33 **418.323.”.**

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