

HB 4058-3  
(LC 236)  
2/26 (LAS/ps)

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

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4058**

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

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

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

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

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

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

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

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

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

3       **“(d) The placement complies with the requirements of the Inter-**  
4       **state Compact on the Placement of Children.**

5       **“(3) As used in this section:**

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

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

8       **“(c) ‘Out-of-state child-caring agency’ means a provider of**  
9       **children’s care or services in a state other than Oregon that would be**  
10       **required to be licensed, certified or otherwise authorized by the de-**  
11       **partment under ORS 418.240 if the provider provided the care or ser-**  
12       **vices in this state.**

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

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