



February 10, 2026

Representative Anessa Hartman, Chair
House Committee on Early Childhood and Human Services

RE: HB 4059

Chair Hartman and Members of the House Committee on Early Childhood and Human Services

Oregon AFSCME represents over 40,000 workers, many who support fragile populations, including workers at the Oregon State Hospital (OSH), the Stability and Crisis Unit (SACU), Oregon Youth Authority (OYA), The Multnomah Education Service District (MESD), and hundreds of Childcare Providers across the state.

We would like to thank Rep. Hartman for her leadership in convening this long term stakeholder discussion to review the definition and the resulting impacts of child abuse investigations in Oregon. The comparison with the federal standards is also very important to consider. The recommendations of the task force represented in HB 4059 as introduced are key to ensuring that bad actors are held accountable while providing better alignment with the national standard and reducing the number of unfounded investigations. By changing the definition of threat of harm to imminent risk and changing the burden of proof to a preponderance of the evidence for founded abuse, Oregon is fine tuning a system that has had lasting unintended consequences.

Regarding the dash two amendments, the proposed amendments would still have the effect of raising the evidentiary standard for school abuse investigations from “reasonable cause to believe” (a standard that is very deferential to OTIS) to “preponderance of the evidence.” Which is an important distinction for educators and childcare providers.

This workforce is highly skilled and retention is key to the overall safety and success of those in their care and the workers who support them. Support for fragile populations are very difficult professions. The hours are long, they are short-staffed, and although there is a wide range with all of the professions listed, all are lower wage positions. The incidence of accidents and injury

are very high. Many of the people who devote their lives to this work feel called to it. Many are family members of people who also have special needs so they understand the need for consistent, compassionate, professional support. The relationship that OSH, SACU, OYA, MESD and childcare providers develop with their patients, participants, or students is developed over time. Those who give one on one support become an expert on the individual's likes and dislikes, their triggers, their conditions and special needs, and the strategies that have been developed to reregulate an individual who is dysregulated.

It is also important to note that in the education sector, a worker who has been placed on administrative leave for an average of eight months, may be simultaneously investigated by up to four entities concurrently, including Oregon Department of Education (ODE), Teachers Standards and Practices (TSPC), The Office of Training, and Safety (OTIS) and law enforcement. Given a school year spans over approximately nine months, the worker will be unable to work for the majority of the school year. There are many organic situations that arise when supporting populations with special needs, so with the current standards, there is a higher likelihood that a worker will be investigated multiple times. Consider the emotional effects of a well-intentioned, frequently un trained or under trained worker who must endure a process that spans the better part of a year. As a result of the frequency of investigation, there is a chilling effect in the workforce. Many opt for a job in food service or other service positions.

When a worker is absent, the people they support feel the impacts of that absence, and the likelihood of greater anxiety or dysregulation is higher, their quality of life lessens, and workplace injuries increase

Thank you for your continued leadership and attention to this important and evolving issue.

Susan Allen
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