



February 23, 2026

To: Senator Gelser-Blouin, Chair, and Members of the Senate Committee on Human Services

From: Oregon Developmental Disabilities Coalition

RE: House Bill 4042A (Oppose)

To Chair Gelser-Blouin, Vice-Chair Linthicum, and Members of the Committee:

The Oregon Developmental Disabilities Coalition submits this testimony in opposition to House Bill 4042A after considering negative impacts including

- (1) The potential expansion of congregate care placement.
- (2) Loosening consequences for serious licensing violations.
- (3) Allowance for and training on the use of restraint.

Every child deserves the opportunity to live in the community free from serious harm and inappropriate restraints. The Coalition opposes HB 4042A because it fails to reflect those values.

The potential for expansion of placements in congregate care compromises Oregon's commitment to ensure community integration for children under care.

The bill creates a higher risk of prolonged stay in residential care facilities or shelter-care by delegating legislative authority to place such limits to the agency. The current standard is clear in that the department must not place a child in such congregate settings for more than 60 consecutive days, or 90 cumulative days in a 12-month period. The proposed standard on the duration of placement allows the department to extend those limits by another 30 days "by rule" in individualized circumstances.



Serious violations deserve serious consequences. It does make sense under *some* circumstances to give the department more discretion in terms of conditions short of suspension or revocation it can place on child-care agencies. However, circumstances such as the death of a child or covering up of sexual or serious physical abuse of a child because of abuse or neglect must call for license suspension or revocation. Failure to provide financial statements or the decision of a single employee who is not part of management to cooperate with an investigation might not warrant license suspension and revocation. However, Oregon simply cannot allow death, or sexual/physical abuse of a child that the child-care agency knew and did nothing about. HB 4042A makes no distinction.

Finally, the Coalition is concerned that the wording of the bill makes it easier for kids to be restrained while in care. Directing agencies to train staff in “restraint” instead of “physical intervention” is simply not necessary and may increase the likelihood of inappropriate action. Also, the exclusion of “vehicle safety restraints” during transport of children as a form of “mechanical restraint” from which children are protected is too vague. Not all vehicle restraints are appropriate to use on children under care.

For these reasons, we urge you to reject HB 4042A. The bill would undermine Oregon’s longstanding commitment to community-based care, weaken accountability for the most serious licensing violations, and increase the risk of harmful restraint. We respectfully ask you to vote “NO” in order to protect the safety and rights of children in care.