

# D R A F T

## SUMMARY

Directs Department of Human Services to convene work group to develop and recommend licensing fees and criminal and civil penalty structure for child-caring agencies, certain foster homes, private residential boarding schools, shelter-care homes and independent residence facilities.

Directs department to report to Legislative Assembly before October 1, 2016.

Sunsets work group on January 2, 2017.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1 Relating to providers of child care; and declaring an emergency.

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

3 **SECTION 1. (1) The Department of Human Services shall convene**  
4 **a work group for the purpose of developing and recommending licens-**  
5 **ing fees and a criminal and civil penalty structure for child-caring**  
6 **agencies, foster homes, private residential boarding schools, shelter-**  
7 **care homes and independent residence facilities that are licensed or**  
8 **otherwise authorized to operate by the department.**

9 **(2) The work group shall consist of:**

10 **(a) Representatives of facilities and other providers of care that**  
11 **operate child-caring agencies, foster homes, private residential board-**  
12 **ing schools, shelter-care homes and independent residence facilities;**

13 **(b) Employees of the department with expertise in the provision of**  
14 **care for children, in the licensing of facilities and other providers of**  
15 **care for children and in the supervision, auditing, investigation, re-**  
16 **view and monitoring of such facilities and providers; and**  
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1 (c) Other stakeholders with an interest in the licensing, supervision  
2 and evaluation of child-caring agencies, foster homes, private resi-  
3 dential boarding schools, shelter-care homes and independent resi-  
4 dence facilities.

5 (3) The work group shall:

6 (a) Consider the existing structures of licensing fees and penalties  
7 that may be imposed upon child-caring agencies, foster homes, private  
8 residential boarding schools, shelter-care homes and independent res-  
9 idence facilities and make recommendations for changes to such  
10 structures including, but not limited to, amendments to current  
11 Oregon statutes that impose licensing fees and criminal or civil pen-  
12 alties;

13 (b) Make recommendations for criteria for license issuance or re-  
14 newal to facilities and other providers of care for children in the  
15 department's custody;

16 (c) Make recommendations to establish grounds for denial, suspen-  
17 sion or revocation of licenses to facilities and other providers of care,  
18 and grounds for the imposition of criminal or civil penalties; and

19 (d) Make recommendations regarding any other matter relevant to  
20 the issuance and renewal of licenses to facilities and other providers  
21 of care, the denial, suspension or revocation of such licenses, license  
22 fees and the imposition of criminal or civil penalties.

23 (4) The department shall submit a report, and may include recom-  
24 mendations for legislation, to interim committees of the Legislative  
25 Assembly related to child welfare on or before October 1, 2016, re-  
26 garding the work and recommendations of the work group.

27 SECTION 2. Section 1 of this 2016 Act is repealed on January 2, 2017.

28 SECTION 3. This 2016 Act being necessary for the immediate pres-  
29 ervation of the public peace, health and safety, an emergency is de-  
30 clared to exist, and this 2016 Act takes effect on its passage.