



# Oregon

Kate Brown, Governor

Office of the Director  
500 Summer St. NE, E-15  
Salem, OR 97301-1097  
503-945-5600

**Report to Interim Committees of the Legislative Assembly  
Related to Human Services  
HB 2233 Advisory Committee Recommendations  
Related to Residential Care for Children, Youth or Youth Offenders**

**December 15, 2015**

House Bill 2233, enacted in the 2015 Regular Legislative Session, established an advisory committee within The Office of Adult Abuse Prevention & Investigations (OAAPI) which provides services to several programs of the Department of Human Services (DHS) and Oregon Health Authority (OHA) that serve:

- Adults over the age of 65;
- Adults with physical disabilities;
- Adults with intellectual/developmental disabilities;
- Adults with mental illness; and
- Children receiving residential/therapeutic services.

The purpose of the advisory committee was to advise the Department and OAAPI with respect to residential care for children, youth or youth offenders that are subject to the oversight and administration of OAAPI.

HB 2233 required the submission of a report to the interim legislative committees on the advice and recommendations provided by the advisory committee, including: (a) the need to adopt new or amend existing administrative rules; (b) the status of existing processes to investigate residential care and the need to improve or expand such processes; (c) the current processes for making findings of abuse or neglect in residential care; (d) strategies for ensuring the safety of children, youth or youth offenders in residential care.

**HB 2233 Advisory Committee Members**

Appointed Committee Members:

Marie Cervantes, Director, Office of Adult Abuse Prevention and Investigations  
John Thompson, Deputy Director, Office of Adult Abuse Prevention and Investigations  
Michelle Morman, Investigator, Office of Adult Abuse Prevention and Investigations  
Debbi Kraus-Dorn, DHS Office of Developmental Disability Services  
Harry Gilmore, DHS Office of Licensing and Regulatory Oversight  
Laurie Price, DHS Child Welfare  
Kris Scrabeck, Oregon Youth Authority  
Janet Arenz, Director, Oregon Alliance of Children's Programs  
Leslie Sutton, Oregon Council on Developmental Disabilities  
Bob Joondeph, Disability Rights of Oregon

Francis Maher, St. Mary's School for Boys  
Peter Rosenblatt, Albertina Kerr  
Robin Donart, Maplestar  
Angela Allbee, DHS Legislative Coordinator and HB 2233 Project Manager  
Chris Edmonds, DHS Government Relations  
Adriana Miranda, DHS Executive Support and HB 2233 Support

Additional key attendees:

Kevin George, DHS Child Welfare  
Khris Ward, Oregon Youth Authority  
Rebecca Fetters, Quality Assurance, Office of Adult Abuse Prevention and Investigations  
Annette Hilton, Oregon Youth Authority  
Bruce Baker, DHS Office of Developmental Disability Services

**Advisory Committee Meetings**

The committee met on September 8, October 5, and November 2, 2015. A governance structure that included a briefing memo, meeting minutes, presentations, and flowcharts to reflect the status of existing processes were produced to comply with subsections (b) and (c) of HB2233. In order for the committee to be effective and meet the remaining statutory requirements, members were in agreement that foundational work products were necessary sources of information to use prior to assessing the need to adopt or amend existing administrative rules and ultimately develop strategies for ensuring the safety of children, youth or youth offenders in residential care. All artifacts related to the advisory committee meetings are attached to this report.

**Key Findings**

1. The committee accomplishments include subsections (b) and (c) of HB2233 which are attached as three individual process charts that detail the status of existing processes to investigate residential care and the current processes for making findings of abuse or neglect in residential care. The charts include the investigation process, cross-agency roles, notifications, cross-reporting and incorporate Child Welfare, Office of Licensing and Regulatory Oversight, Office of Adult Abuse Prevention and Investigations and the Oregon Youth Authority. Copies of the charts are attached to this report. In addition, presentation materials were provided by appointed and key committee members which helped eliminate, create, and/or refine identification of problems within the system as well as solutions to address them.
2. The committee has been considering a number of continuing activities that could make a difference in the way in which providers and state agencies approach child safety. This includes research on best practices, review of regulatory practices by other states and the creation of consistent standards. The committee also understands the scope of our work must recognize other activities related to the safety of children, youth or youth offenders in residential care so we are seamless in our approach.
3. The committee agreed that future meetings to discuss issues and solutions would need to continue in order to determine the need to improve or expand processes; adopt new rules or amend existing administrative rules and develop well-informed strategies.

### **Recommendations**

The HB 2233 Advisory Committee agreed to the following recommendations:

1. Engage in continued meetings on a quarterly basis with a goal of making specific recommendation(s) to the legislature by September 1, 2016.
2. The committee will address issues that were raised during the prior meetings that are within the scope of HB2233 or refer the issue to the most appropriate source for follow-up.
3. The specific issues identified by the committee are as follows: improved understanding of precipitated events related to the use of seclusion/restraint; investigation authority gap in school settings; terminology; gap in investigations support for children; PRN medications; AER reports; false abuse allegations; clarification of calls received at screening; non-residential investigations; differential response; administrative findings; fines; reference checks; verbal abuse; and support for providers during abuse investigations.

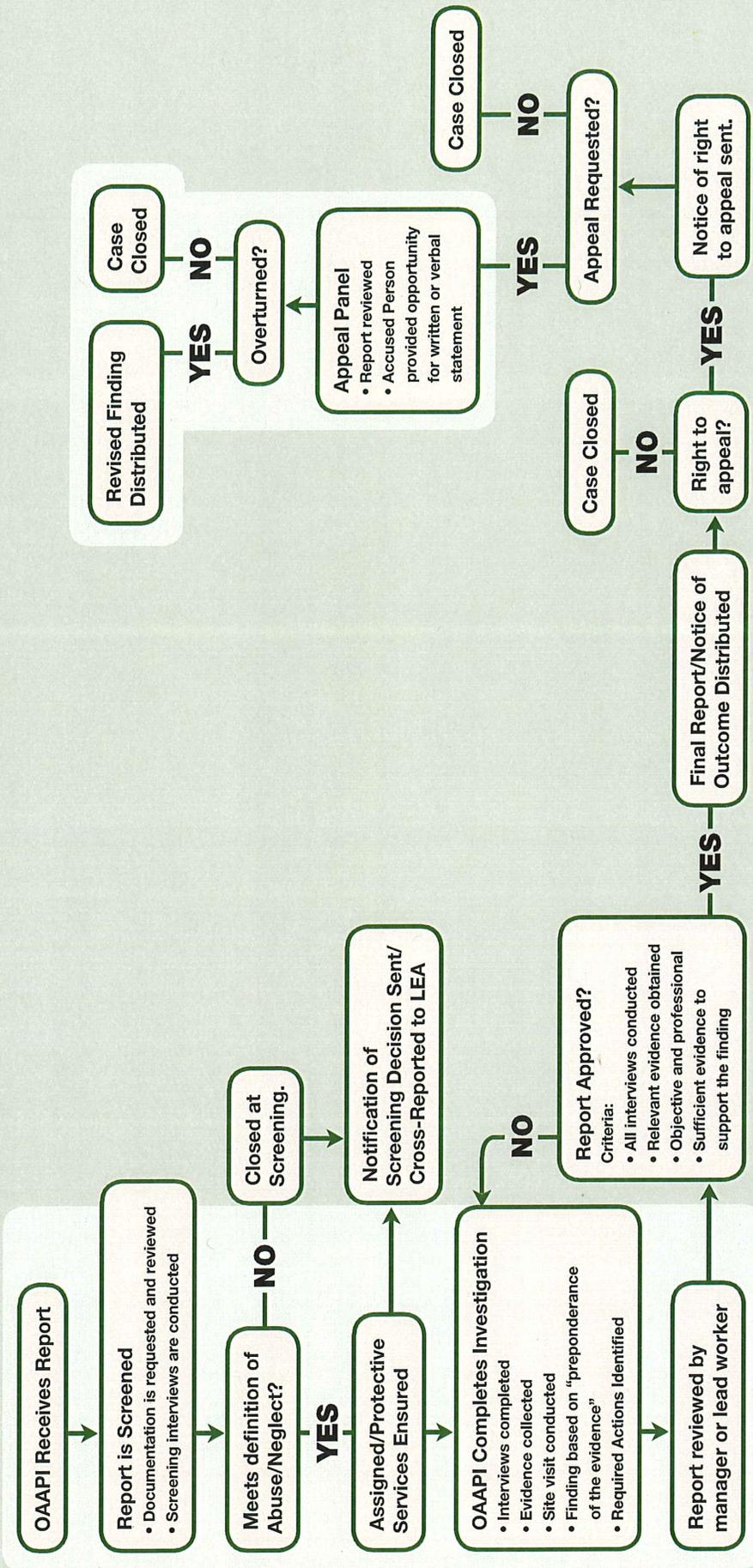
Thank you for the opportunity to provide this report related to residential care for children, youth or youth offenders. The advisory committee members have a shared commitment to the children we serve and it is our goal to work together to make changes that result in positive benefits.

Please contact Marie Cervantes at (503) 945-9491 or [Marie.G.Cervantes@state.or.us](mailto:Marie.G.Cervantes@state.or.us) if you have any questions or concerns.

Respectfully,

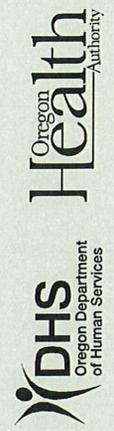
Marie Cervantes, Director  
Office of Adult Abuse Prevention and Investigations  
A shared service of DHS and OHA

# BASIC OAAPI INVESTIGATION AND DISTRIBUTION PROCESS

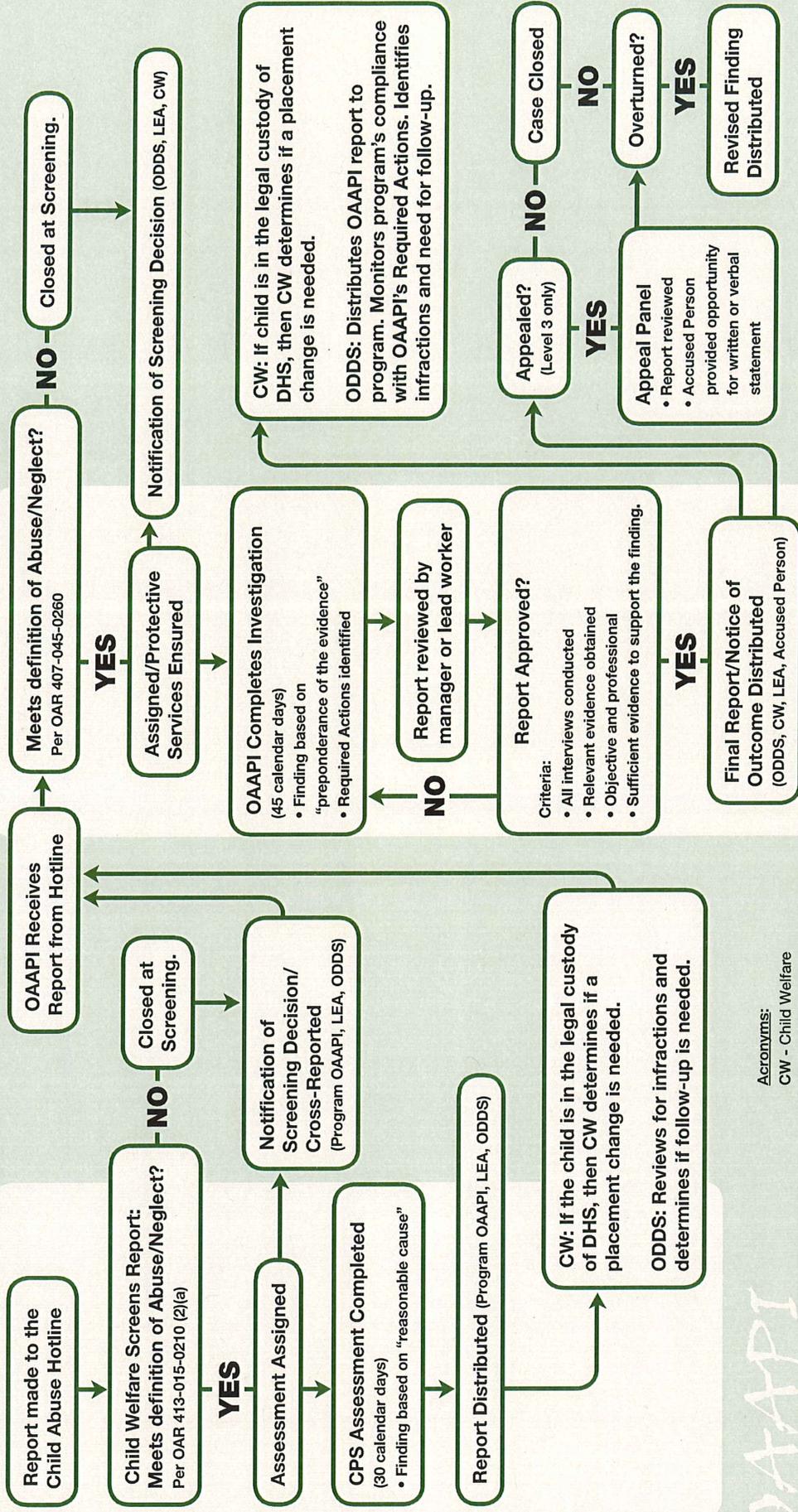


**OAAPI**  
Partnering to achieve cultural and service equity by preventing abuse, protecting people in need, integrating communities, valuing those who do the work and committing to quality in all we do.

**Acronyms:**  
LEA - Law Enforcement Agency  
OAAPI - Office of Adult Abuse Prevention and Investigations



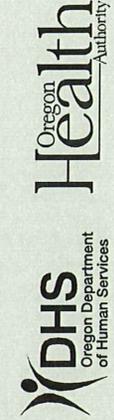
# CHILDREN'S ID/DD Programs: AGENCY-WIDE INVESTIGATION PROCESS



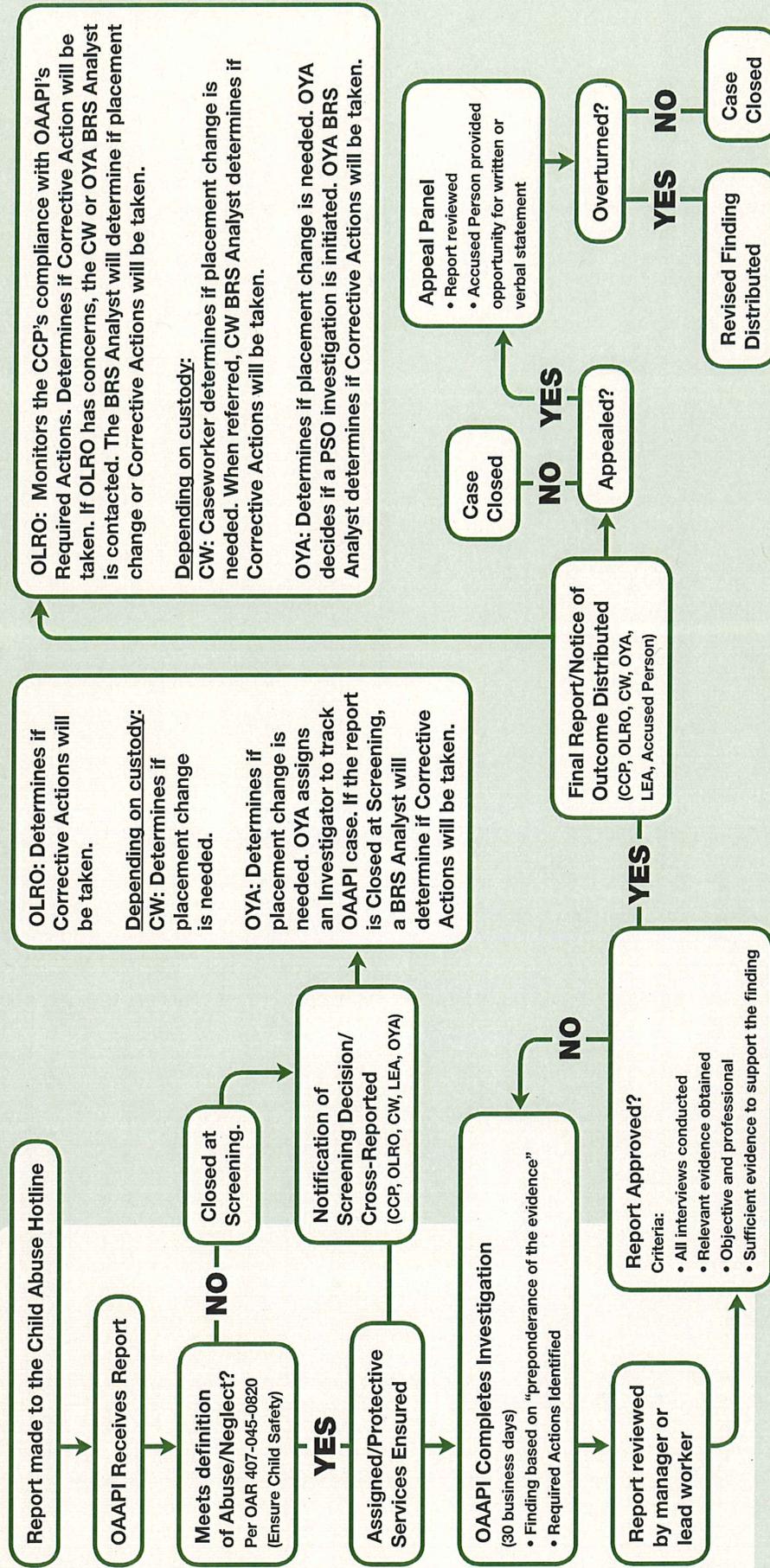
**Acronyms:**

- CW - Child Welfare
- CPS - Child Protective Services
- LEA - Law Enforcement Agency
- ODDS - Oregon Developmental Disability Services
- OAAPI - Office of Adult Abuse Prevention and Investigations

Partnering to achieve cultural and service equity by preventing abuse, protecting people in need, integrating communities, valuing those who do the work and committing to quality in all we do.



# CHILDREN'S CARE PROVIDERS: AGENCY-WIDE INVESTIGATION PROCESS



**OLRO:** Monitors the CCP's compliance with OAAPI's Required Actions. Determines if Corrective Action will be taken. If OLRO has concerns, the CW or OYA BRS Analyst is contacted. The BRS Analyst will determine if placement change or Corrective Actions will be taken.

Depending on custody:  
**CW:** Caseworker determines if placement change is needed. When referred, CW BRS Analyst determines if Corrective Actions will be taken.  
**OYA:** Determines if placement change is needed. OYA decides if a PSO investigation is initiated. OYA BRS Analyst determines if Corrective Actions will be taken.

**OLRO:** Determines if Corrective Actions will be taken.

Depending on custody:  
**CW:** Determines if placement change is needed.  
**OYA:** Determines if placement change is needed. OYA assigns an Investigator to track OAAPI case. If the report is Closed at Screening, a BRS Analyst will determine if Corrective Actions will be taken.

**Final Report/Notice of Outcome Distributed**  
 (CCP, OLRO, CW, OYA, LEA, Accused Person)

**Report Approved?**

Criteria:

- All interviews conducted
- Relevant evidence obtained
- Objective and professional
- Sufficient evidence to support the finding

**Acronyms:**  
 BRS - Behavior Rehabilitation Services    CCP - Children's Care Providers  
 LEA - Law Enforcement Agency    OYA - Oregon Youth Authority  
 PSO - Professional Standards Office    OLRO - Office of Licensing and Regulatory Oversight  
 OAAPI - Office of Adult Abuse Prevention and Investigations

Partnering to achieve cultural and service equity by preventing abuse, protecting people in need, integrating communities, valuing those who do the work and committing to quality in all we do.

