

Legislative Summary Report

Human Services



This Legislative Summary Report highlights Human Services policy measures that received a public hearing during the 2023 regular legislative session. The report is organized by sub-topics and includes the measure number; the measure status: enacted [✓] or not enacted [✗]; and a brief description of the measure.

Human Services sub-topics:

- Abuse: Definitions, Reporting, Records, and Investigations
- Benefits and Assistance programs
- Child Welfare
- Supported Care Settings
- Systems of Care

Abuse: Definitions, Reporting, Records, and Investigations

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| SB 93 | ✓ | Modifies statutory definitions in order to align processes for investigations of suspected abuse of children in care, allows the Department of Human Services (DHS) and child-caring agencies to be parties to juvenile court proceedings if the department has taken a child or ward into protective custody as well as temporary custody, and restores the authority of DHS to regulate community-based structured housing facilities that are not already regulated by the Oregon Health Authority. |
| SB 105 | ✓ | Adds unlawful restraint, unlawful seclusion, and infliction of corporal punishment on adults with a developmental disability by public education programs to the definition of "abuse" for abuse investigations. |
| SB 106 A | ✗ | Would have clarified the definition of "involuntary seclusion" and which restraints were prohibited in child-caring agencies, proctor foster homes, certified foster homes, and developmental disabilities residential facilities. Would have required the Department of Human Services to include in quarterly reports to the Legislative Assembly information on whether abuse resulted in a reportable injury, sexual abuse, or death for purposes of public review and oversight of quality and safety of child-caring agencies, certified foster homes, and developmental disabilities residential facilities. |
| SB 210 | ✓ | Creates exceptions to laws regarding confidentiality of identifying information of persons receiving public assistance to allow mandatory reporters to disclose information to report suspected abuse. |

- SB 231 ✓ Directs the Department of Human Services to develop and maintain a centralized child abuse reporting system, including an abuse reporting hotline and a website.
- SB 715 ✗ Would have prohibited the Department of Human Services (DHS) from disclosing records and reports related to child abuse investigations to certain entities. Would have required DHS to obtain permission from a child’s custodial parent or legal guardian before: giving the child medication other than birth control, a haircut, or a vaccination; authorizing the termination of pregnancy; or providing birth control services to the child.
- SB 757 ✓ Requires the Department of Human Services and law enforcement agencies to provide notice of founded disposition of child abuse to the attorney of the person identified as the perpetrator.
- SB 769 A ✗ Would have prohibited the Department of Human Services from finding an individual unfit to serve as a volunteer, intern, employee, or licensee of any entity solely based on a substantiated or founded allegation of abuse, if the incident occurred before the individual reached 18 years of age.
- SB 790 ✓ Adds unlawful restraint, unlawful seclusion, and infliction of corporal punishment to the definition of child abuse. Prohibits the Department of Human Services (DHS) from substantiating an allegation of abuse against personnel of a public education program not trained to standards set by the Oregon Department of Education, and permits DHS to find a public education program responsible for abuse by untrained personnel’s inappropriate use of restraint.
- SB 823 A ✗ Would have required the Department of Human Services to prepare completed abuse investigation reports following child abuse investigations. Would have made these reports confidential, except to specified persons upon written request.
- SB 901 ✓ Authorizes the Director of Human Services to issue subpoenas for documents and records concerning child abuse investigations.
- SB 995 ✗ Would have required the State Board of Education to adopt rules for the training requirements for using restraint and seclusion of students and would have expanded the definition of “abuse” to include violations of restraint or seclusion law.
- SB 1024 ✓ Prohibits children’s congregate care providers and public education programs from modifying or destroying photo, video, and audio evidence of incidents involving restraint or involuntary seclusion of a child and requires programs to make these records available upon request.
- SB 1028 ✗ Would have expanded the definition of child abuse to include verbal abuse.



- HB 2578 ✗ Would have directed the Department of Human Services to establish continuing education requirements for mandatory reporters of abuse and neglect.
- HB 3333 A ✗ Would have directed the System of Care Advisory Council to study the use of a just culture model in the Department of Human Services' investigations of child-caring agencies, and would have created a grant program for training on the model.

Benefits and Assistance Programs

- SB 92 A ✗ Would have directed the Department of Human Services to establish a liaison position to facilitate the participation of individuals appointed to boards, commissions, or other groups.
- SB 186 ✗ Would have directed the Department of Human Services to disregard all child support that is passed through to the family in determining the eligibility for and amount of aid provided by the Temporary Assistance for Needy Families program.
- SB 241 ✗ Would have required state agencies or local governments to inform and request a resident to apply for assistance or benefits available from funded federal programs before providing similar assistance or benefits through a program that uses resources from the state.
- SB 420 ✓ Directs the Department of Human Services to provide service coordination, resource navigation, advocacy, and options counseling to individuals with brain injuries.
- SB 438 ✗ Would have required the Department of Human Services to seek federal approval to exclude monthly distributions of an advance payment of the working family household and dependent care expenses tax credit in determining eligibility for the Supplemental Nutrition Assistance Program.
- SB 556 ✓ Prohibits the Department of Human Services from using funds, benefits, payments, proceeds, settlements, awards, inheritances, wages, or any other money received on behalf of a child in its custody for maintenance costs.
- SB 557 ✗ Would have required the Department of Human Services to establish and administer the Youth Support and Repayment Grant Program to award grants to persons whose Social Security benefits, death benefits, survivor benefits, crime victim impact payments, or any other benefits or resources intended for the person, were seized and used by the state to pay for services provided to the person that would otherwise have been entitled or eligible through any state or federal agency or public or private program.



- SB 569 ✓ Requires every place of public accommodation that provides a closed-captioned enabled television receiver in a public area to activate closed captioning on at least 50 percent of the receivers.
- SB 576 A ✗ Would have prohibited the Department of Human Services from basing a determination of eligibility for medical assistance to employed individuals with disabilities on an individual's income and resources.
- SB 609 ✓ Requires the Department of Human Services to consider hours worked as a graduate assistant as hours worked in employment for meeting work requirements in the Supplemental Nutrition Assistance Program.
- SB 610 A ✗ Would have established the Food for All Oregonians Program to provide nutrition assistance to Oregon residents whose immigration status or lack of Social Security number inhibits them from qualifying for the federal Supplemental Nutrition Assistance Program.
- SB 685 ✓ Modifies the definition of "communication facilitator" to specify that access to assistive services within the Telecommunications Devices Access Program is available only to individuals who are deaf-blind, deaf with a physical disability that limits expressive communication, and hard of hearing with such a physical disability.
- SB 856 ✗ Would have established the Compact of Free Association Food Assistance Program to provide food assistance to citizens from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.
- HB 2447 ✓ Clarifies the timeline for the Department of Human Services and Oregon Health Authority to inform financial institutions of a depositor's death to recover benefit payments from accounts.
- HB 2726 A ✗ Would have established a pilot program operated by Southern Oregon Early Learning Services to coordinate wraparound resources and supports and provide direct financial assistance to low-income pregnant individuals and families with young children. (**Bill is also included in** Summary of Legislation Summary Report on Education and Early Childhood)
- HB 2728 ✗ Would have directed the Department of Human Services to contract with a nonprofit organization to operate a benefit amount matching program that would assist Supplemental Nutrition Assistance Program (SNAP) recipients with purchasing locally grown fruits and vegetables from participating farmers' markets and other vendors.
- HB 2957 A ✗ Would have directed the Department of Human Services to establish a grant program for local community-based organizations to assist noncitizens who lack valid immigration documentation with changing their immigration status or obtaining lawful permanent resident status.



- HB 3176 A ✗ Would have established the Welcome and Reception Program within the Office of Immigrant and Refugee Advancement (OIRA) to provide immigrants, refugees, and asylum seekers with access to short-term and long-term support services. Would have modified the duties and responsibilities of OIRA and required a report to the legislature by June 30, 2025.
- HB 3235 ✓ Creates a refundable income tax credit for resident taxpayers of \$1,200 per qualifying dependent child under age six. Prescribes limits to claims and phases out credit amounts for incomes above certain thresholds.
- HB 3240 ✗ Would have removed the requirement that replacement electronic benefits transfer cards bear the name of the individual to whom the card was issued.

Child Welfare

- SB 202 ✓ Requires the Department of Human Services to develop and administer a voluntary placement program to support the transition into adulthood for young adults.
- SB 208 ✓ Grants courts continuing wardship, when permanent guardianship is established, until the court terminates the wardship and vacates the guardianship or the ward becomes 21 years old.
- SB 209 ✓ Makes records of sexual orientation, gender identity, or gender expression exempt from disclosure unless the failure to disclose the record is reasonably likely to jeopardize the child's safety or well-being.
- SB 230 ✗ Would have enacted the revised Interstate Compact for the Placement of Children related to coordinating the transfer and placement of children across state lines.
- SB 548 ✓ Requires the Department of Human Services to provide luggage carriers to transport personal effects when a foster child is entering, transitioning within, or exiting foster care.
- SB 794 ✓ Exempts adoption placement services that do not provide care or services to children from reporting requirements on the use of restraint and involuntary seclusion.
- SB 865 ✓ Directs the Department of Human Services to consider the current caretaker to have priority status as a prospective adoptive parent in specific circumstances and allows a court to deem unpaid support payments as having been satisfied when parental rights are terminated or relinquished.
- HB 2438 ✗ Would have required the Department of Human Services to consider the recommendations of a child's mental health provider and notify a court when it



makes a placement decision for a child or ward that is contrary to the provider's recommendations.

- HB 2599 ✓ Waives fees for enrollment in the Central Background Registry for individuals affiliated with respite service providers.
- HB 2664 A ✗ Would have required the Department of Human Services to provide culturally and linguistically affirmative child welfare services to individuals who are deaf and hard of hearing. Would have modified the Oregon Foster Children's Bill of Rights to grant additional rights to foster children.
- HB 2711 ✗ Would have required the Department of Human Services (DHS) to attempt to place children or wards with previous substitute care providers when other preferred placement options are not available, and provide documentation to the court on its efforts.
- HB 3076 A ✗ Would have extended the period for a parent to anonymously leave their infant in the physical custody of a person at an authorized facility from 30 days to 60 days and required authorized facilities to post informational signage.
- Note:** Provisions enacted as part of [HB 3626](#) (2023).
- HB 3626 ✓ Extends the period for a parent to anonymously leave their infant in the physical custody of a person at an authorized facility from 30 days to 60 days and requires authorized facilities to post informational signage.

Supported Care Settings

- SB 91 ✓ Directs the Department of Human Services to compensate parents for providing attendant care services to minor children who have very high medical or behavioral needs.
- SB 93 ✓ Modifies statutory definitions in order to align processes for investigations of suspected abuse of children in care; allows the Department of Human Services (DHS) and child-caring agencies to be parties to juvenile court proceedings if the department has taken a child or ward into protective custody as well as temporary custody; and restores the authority of DHS to regulate community-based structured housing facilities that are not already regulated by the Oregon Health Authority.
- SB 99 ✓ Establishes the Bill of Rights for LGBTQIA2S+ Older Adult Residents of Long Term and Community-Based Care Facilities and establishes the LGBTQIA2S+ Subcommittee of the Governor's Commission on Senior Services.
- SB 602 ✗ Would have directed the Commissioner of the Bureau of Labor and Industries to appoint a long-term care wage board to study challenges to recruiting and retaining long-term care employees.



- SB 646 ✗ Would have directed the Department of Human Services to allow parents or legal guardians of minor children to serve and be paid as their children's personal support workers or direct support professionals.
- SB 759 ✓ Requires the Department of Human Services to investigate options for compensating roommates if an adult who receives developmental disability services chooses to receive services from roommates in the home that the adult owns or rents.
- SB 820 A ✗ Would have required the Oregon Health Authority to provide services and supports to individuals with complex mental or behavioral health needs who are under 21 years of age.
- SB 1077 ✗ Would have required the Department of Human Services to consult with the Medicaid Advisory Committee on types, the extent of, and standards for long-term services and supports provided to seniors and persons with disabilities.
- HB 2457 A ✗ Would have required the Department of Human Services to reimburse provider agencies for the cost of care provided by direct support professionals (DSPs) that would be sufficient to compensate DSPs at least 150 percent of the Portland-area minimum wage as adjusted for inflation.
- HB 2495 ✗ Would have directed the Department of Human Services to restructure its methodology for calculating reimbursement rates for payments to adult foster care providers by increasing base rates of repayment and adopting an acuity-based payment method to reduce need for exceptional payments by January 1, 2024. Would have directed DHS to increase base rates and add-on payments by 50 percent over amounts paid until a restructured methodology is adopted.
- HB 2500 A ✗ Would have directed the Department of Human Services and Oregon Health Authority to require, by rule, mileage reimbursement payments to home care workers, personal support workers, and personal care attendants who provide home care services for individuals in remote locations 25 or more miles from an available provider. Modifies training requirements for employees of in-home care agencies.
- HB 2589 A ✗ Would have directed the Department of Human Services to conduct studies to determine sufficient staffing and compensation for case workers who perform enrollment and eligibility services for programs of all-inclusive care for the elderly to process application enrollments within a 45-day window.
- HB 2599 ✓ Requires the Early Learning Council to waive the fees charged for enrollment in the Central Background Registry for employees or volunteers with a private agency or organization that facilitates respite services for parents according to a properly executed power of attorney.
- HB 2954 A ✗ Would have directed the Department of Early Learning and Care, in consultation with the Department of Human Services and subject to available



funding, to establish a pilot program to provide financial assistance for child care costs to long term care facility employees. **(Bill is also included in Summary of Legislation Summary Report on Education and Early Childhood)**

- HB 3256 ✓ Allows a child who resides in a developmental disabilities child foster home to be attended by their parent or guardian only with approval from the Department of Human Services (DHS). Allows a child up to age 26 to reside in a developmental disabilities' child foster home with approval from DHS.

Systems of Care

- SB 104 ✓ Directs the Department of Human Services to contract with one or more organizations to deliver agency with choice services, including varied administrative and employment-related supports, by July 1, 2024.
- SB 201 ✓ Removes the requirement for community developmental disabilities programs and support service brokerages to develop a written management plan.
- SB 792 ✓ Directs the Department of Human Services (DHS) to establish application fees for initial and renewal license, certification, and endorsement applications submitted by residential training homes and residential training facilities; adult foster homes; and other facilities and persons certified by the department to provide developmental disability services. Directs DHS to impose civil penalties for a violation by any provider contracting with DHS to provide intellectual or developmental disability services.
- SB 570 A ✗ Would have directed the Department of Human Services to contract with up to two consumer-directed employers to provide the agency with choice services, including varied administrative and employment-related supports, and specified criteria employers must meet.
- SB 1016 ✓ Directs the Department of Human Services to establish and maintain regional family support networks to provide peer-delivered supports for families of individuals with intellectual or developmental disabilities.
- SB 968 ✓ Modifies duties and membership of the System of Care Advisory Council, which is charged with addressing the needs of children with mental or behavioral health needs across the state's juvenile justice, child welfare, and health care systems.
- HB 2440 ✗ Would have established privacy restrictions for entities that participate in a community information exchange by specifying conditions under which personally identifying information may be accessed, disclosed, and retained.
- HB 2804 ✓ Requires the Department of Human Services to use workload models to assess the capacity and needs of its workforce in every program or administrative unit and biennially report to legislative committees.



- HB 2869 A ✗ Would have established a 25-member work group, appointed by the President of the Senate and Speaker of the House of Representatives, to develop a framework for a multi-sector plan for aging to be administered by the Department of Human Services and requires the work group to report to legislative committees.
- HB 3009 ✗ Would have established a program through the Department of Human Services and in consultation with other public bodies to provide wraparound supports to youth with acute psychiatric needs and their families.
- HB 3234 ✓ Prohibits a court from ordering the involuntary commitment of a minor child with intellectual disabilities to the Department of Human Services without the consent of the child's parent or guardian. Requires a person to have been determined eligible for developmental disability services as a condition of commitment, and modifies processes related to commitments.
- HB 3303 A ✗ Would have established the Community Information Exchange Board (Board), specified the Board's membership and duties, and charged the Board with studying community information exchanges (CIEs) and making recommendations on best practices. Would have required the Oregon Health Authority to evaluate CIEs in Oregon and publish a list of CIEs that align with board-identified best practices.

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