

2020 SUMMARY OF LEGISLATION



**Human
Services**



TASK FORCES AND REPORTING REQUIREMENTS

There were no task forces or reporting requirements created by bills in this policy area.

Picture: Public art sculptures, Barbara Roberts Human Services Building,
Oregon State Capitol Mall in Salem – [Gary Halvorson, Oregon State Archives](#)

[House Bill 4133](#)**Not Enacted****Funding for Domestic Violence Victims Advocates****Chief Sponsors:** Reps. Noble, Williams**Committees:** House Human Services and Housing, Joint Ways and Means

Background and Current Law: The Co-Located Advocates Program was founded in 2010 in the Department of Human Services (DHS) and serves survivors of domestic violence who are parents with children. Staff spend part of their time in a DHS office (partnering with DHS) and part of their time in a community-based domestic violence organization. In 2019, statewide expansion occurred at the same funding level, resulting in reduction of funding for 19 counties during the expansion.

Bill Summary: House Bill 4133 would have appropriated an unspecified amount to DHS to fund existing contracted domestic violence positions in local Child Welfare offices.

[Senate Bill 1519-A](#)**Not Enacted****Criminal Records Checks of Care Providers**

At the request of: Senate Interim Committee on Human Services

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: When evaluating the fitness of an individual as an employee, contractor, or volunteer, the Department of Human Services (DHS) and the Oregon Health Authority (OHA) are prohibited from considering a conviction for driving under the influence of intoxicants if it is a single conviction and over five years have passed since the conviction. DHS and OHA are also prohibited from conducting a criminal records check more than once every two years on certain employees.

Bill Summary: Senate Bill 1519-A would have prohibited DHS and OHA from considering a conviction for operating a boat while under the influence of intoxicants, as well as considering such convictions under a law in another jurisdiction, if it is a single conviction and over five years have passed since the conviction. The measure also would have allowed DHS or OHA to conduct a criminal records check more than once during an 18-month period if DHS or OHA determined it would have been burdensome for a subject individual to wait for a new criminal records check.

[Senate Bill 1558](#)

Not Enacted

Continuation of CourtCare in Marion and Polk Counties**Chief Sponsors:** Sen. Boles; Reps. Piluso, Moore-Green, Alonso Leon, Evans**Committees:** Senate General Government and Emergency Preparedness, Joint Ways and Means

Background and Current Law: CourtCare was created in 2001 by Multnomah County Court to serve children accompanying parents or guardians to court. The program was designed to help prevent children from experiencing additional trauma and to curb disruptions during court proceedings. It provided free child care and court-related family services inside courthouses or within reasonable proximity. House Bill 3067, enacted in 2017, authorized Marion and Polk Counties to establish pilot programs modeled after CourtCare. These programs were required to be certified or registered by the Early Learning Division's Office of Child Care, and staff were required to enroll in the Central Background Registry. CourtCare in Marion and Polk Counties is scheduled to terminate January 2, 2021.

Bill Summary: Senate Bill 1558 would have appropriated \$200,000 General Fund dollars to the Department of Administrative Services (DAS) for distribution to Marion and Polk Counties, and continued CourtCare an additional year, until January 2, 2022.

[House Bill 4096](#)

Not Enacted

Incentives to Establish Child Care Facilities**Chief Sponsors:** Reps. Zika, Helt; Sen. Boles**Committees:** House Business and Labor

Background and Current Law: The total number of child care slots in Oregon for children under age 13 has declined by about 5,500 between 1999 and 2018, according to *Oregon's Child Care Deserts*, a 2019 report prepared for the Oregon Early Learning Division by Megan Pratt, Michaella Sektnan, and Roberta B. Weber, all faculty at Oregon State University. The authors note that while the number of slots in centers and large family child care homes increased, the number of slots in small family child care homes decreased by a greater number. The report indicated that affordability is also a barrier to accessing quality child care.

Bill Summary: House Bill 4096 potentially would have increased the availability of child care facilities by offering financial incentives through tax credits and a grant program, and with changes to Oregon's land use laws.

Senate Bill 1518-A**Not Enacted****Child Welfare Omnibus**

At the request of: Senate Interim Committee on Human Services

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: According to the Department of Human Services (DHS), 55.5 percent of children available for adoption between January 2017 and September 2019 were not adopted within 12 months of entering foster care, and of them, 69 percent remained in foster care.

The Family First Prevention Services Act provides federal financial support to states and tribes for specific services for any child or youth who is a "candidate for foster care."

Exempt prohibited individuals are not permitted to provide child care within five years of becoming an exempt prohibited individual. An exempt prohibited individual is defined as an individual whose certification, registration, or enrollment in the Central Background Registry has been revoked or removed.

Bill Summary: Senate Bill 1518-A was an omnibus bill relating to children. It included issues concerning adoptions, foster care, child care, and child welfare.

SB 1518-A would have directed DHS to submit documents to the court necessary to finalize pending adoption proceedings no later than June 30, 2020, and to submit a report to the Legislative Assembly regarding finalized adoptions no later than September 1, 2020. SB 1518-A would have also directed DHS to submit a report to the Legislative Assembly regarding adopting a definition for "candidate for foster care" in rule. The measure would have directed DHS to consider a definition that allows families access to services prior to children entering foster care, allows for collaboration with the courts, and includes opportunities to improve alternatives to removal for populations at risk of disproportionate removal.

SB 1518-A would have modified the definition of "exempt prohibited individual" to specify an individual whose certification, registration, or enrollment in the Central Background Registry has been revoked or removed for cause. The measure also would have allowed the Office of Child Care to conditionally enroll an individual in the Central Background Registry upon successful completion of criminal, child abuse, and neglect records checks.

SB 1518-A would have declared a policy that an individual may not be disqualified from providing child welfare services on the basis of race, religion, national origin, sex, age, marital status, sexual orientation, gender expression, disability, or for the sole reason that the individual received child welfare services as a child or youth. The measure also would have declared a policy that a child, ward, or youth may not be prohibited from, disciplined for, or retaliated against for publicly or privately speaking about child welfare experiences.

[Senate Bill 1566-A](#)**Not Enacted****Foster Children and Child Abuse****Chief Sponsors:** Sens. Gelser, Manning Jr.**Committees:** Senate Human Services, Joint Ways and Means

Background and Current Law: The Oregon Promise program is a state grant that covers tuition costs at Oregon community colleges for recent high school graduates or General Education Development (GED) graduates. It is administered by the Office of Student Access and Completion under the Higher Education Coordinating Commission. In order to enroll, students must be Oregon residents for at least 12 months and have completed their high school diploma or GED in Oregon. Children and youth placed in foster care are considered a resident of the school district in which they resided before entering foster care or before the placement changed, unless a juvenile court determines it is in the best interest of the child or youth to attend school in the school district of the foster care placement.

The Department of Human Services (DHS) is responsible for responding to child abuse reports in Oregon and screening for information to determine if there is a need for an assessment. If no assessment is needed, the report is closed at screening. DHS also administers Oregon's foster care program, and placements in foster care range from family home settings to congregate care settings. Family home settings are placements with families that are certified to provide foster care. Congregate care settings include child-caring agencies and qualified residential treatment programs. DHS may make placements of children or youth in congregate care residential settings if the setting is a licensed, certified, or authorized child-caring agency or a qualified residential treatment program.

Bill Summary: Senate Bill 1566-A was an omnibus bill relating to children. It would have addressed the Oregon Promise program, school district residency for children and youth in congregate care placements, screening requirements for reports of child abuse, foster care program placements, and out-of-state child-caring agencies.

SB 1566-A would have extended the eligibility requirements for the Oregon Promise program to students in Oregon's foster care system who complete their high school diploma or GED while in a foster care placement in another state.

The measure also would have allowed children or youth in foster care to be considered residents of the school district of the placement if the placement is in a congregate care residential setting and transportation to and from their original school is not provided.

SB 1566-A would have temporarily permitted DHS to close child abuse reports at screening if DHS determines there is no imminent risk of harm to the child, the alleged abuse does not involve a child care provider, and if the alleged abuse did not occur in a school or related to a school-sponsored activity. The measure would have directed DHS to submit a report to the Legislative Assembly regarding child abuse reports closed at screening no later than November 15, 2020.

SB 1566-A would have directed DHS to identify up to two programs providing services in a family home setting serving no more than 15 children with sexually maladaptive behaviors, histories of eloping from care, or histories of failed placements. Such programs would have been required to be child-caring agencies or qualified residential treatment programs. The measure would have directed DHS to submit a report to the Legislative Assembly regarding such programs, including recommendations for continuing or expanding such programs, no later than September 1, 2022.

SB 1566-A would have permitted DHS to make placements of children or youth in child-caring agencies outside of Oregon if specified requirements were met. The measure would have directed DHS to review any such placement of children or youth who have or may have an intellectual or developmental disability and ensure all in-state resources had been exhausted prior to the placement. The measure would have required DHS to accompany children and youth when they were placed in or moved to a child-caring agency outside of Oregon. Furthermore, the measure would have required DHS to notify the placement authorities of any other state retaining jurisdiction of children in child-caring agencies in Oregon upon awareness of a report of suspected child abuse, and to commence an investigation of a report of suspected abuse if the reported abuse occurred in Oregon or in an out-of-state child-caring agency with Oregon children.

The measure would have included out-of-state child-caring agencies in requirements of investigations of child abuse conducted by DHS. SB 1566-A would have permitted DHS to place children or youth in child-caring agencies that were not qualified residential treatment programs as specified. The measure would have permitted such placements if the child-caring agency was a licensed or certified adolescent residential drug and alcohol treatment program, if the child-caring agency was operated by DHS or a health care organization, and if the court approved of the placement. Finally, SB 1566-A would have prohibited placing children or youth in the care of the state in child-caring agencies providing care primarily to children or youth committed to the care of the Oregon Youth Authority, or the equivalent authority in the state in which the placement was located.

[House Bill 4148-A](#)

Not Enacted

Oregon Indian Child Welfare Act

Chief Sponsors: Reps. Sanchez, Lewis, Noble; Sens. Hansell, Roblan

Committees: House Judiciary, Senate Judiciary

Background and Current Law: The Indian Child Welfare Act (ICWA) is a federal law created “to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture.” 25 U.S.C. § 1902 (1978). In 2018, American Indian and Alaska Native (AI/AN) children made up 1.6 percent of Oregon’s child population, but were 4.8 percent of the children in Oregon’s foster care system.

Bill Summary: House Bill 4148-A would have aligned Oregon dependency proceedings with the requirements of the Indian Child Welfare Act (ICWA) and incorporated other provisions into the dependency code to promote Indian children’s continued connection to culture, family, and tribe. The measure also would have required biennial reports about Indian children in Oregon’s child welfare system.

[House Bill 4039-A](#)**Not Enacted****Services for Unaccompanied Homeless Youth**

At the request of: House Interim Committee on Human Services and Housing for Representative Alissa Keny-Guyer

Committees: House Human Services and Housing, Joint Ways and Means

Background and Current Law: The Runaway and Homeless Youth (RHY) Program is run by the Department of Human Services (DHS) Self Sufficiency Programs. According to a 2016 report from the DHS Homeless Youth Advisory Committee, during the 2014-2015 school year, Oregon school districts counted 3,232 unaccompanied homeless students.

Bill Summary: House Bill 4039-A would have directed DHS to conduct a statewide assessment of the needs and continuum of services for unaccompanied homeless youth; permitted DHS to award one-year grants to organizations that provide services to unaccompanied homeless youth; and appropriated the following General Fund moneys to DHS: \$230,000 to conduct statewide assessments, \$70,000 to provide grants to assist with assessments, \$1 million to provide grants for youth services, and \$1.2 million to provide host home project grants.

[House Bill 4120-A](#)

Not Enacted

Supporting Transition Services for Current and Former Foster Youth**Chief Sponsors:** Rep. Keny-Guyer; Sen. Heard; Rep. Hayden; Sen. Gelser**At the request of:** Oregon Foster Youth Connection**Committees:** House Human Services and Housing, Joint Ways and Means**Background and Current Law:** The Department of Human Services (DHS) is responsible for children in foster care and helps young adults transition out of foster care to independence by contracting with local nonprofit entities that provide skills training and educational assistance through the Independent Living Program (ILP).**Bill Summary:** House Bill 4120-A would have appropriated \$2 million to the Department of Human Services from the General Fund to provide transition services to current and former foster youth.

[House Bill 4141](#)

Not Enacted

Funding Court Appointed Special Advocates (CASA)**Chief Sponsors:** Reps. Leif, Neron; Sen. Hansell; Reps. Barreto, Helt, Keny-Guyer, McKeown, Stark; Sen. Gelser**At the request of:** Oregon CASA Network**Committees:** House Human Services and Housing, Joint Ways and Means**Background and Current Law:** Court Appointed Special Advocates (CASAs) are volunteers appointed by courts to advocate on behalf of abused and neglected children. They investigate, examine, and recommend the best options to a court for a child to be safe, have a permanent home, and to thrive. CASAs spend the majority of their time interviewing people involved in the child's life and respective court case, including teachers, foster parents, attorneys, caseworkers, counselors, parents, medical professionals, and family members, in order to develop appropriate recommendations.**Bill Summary:** House Bill 4141 would have appropriated \$2,616,255 from the General Fund to the Department of Administrative Services (DAS) to increase the number and diversity of CASA volunteer programs.