

# HUMAN SERVICES



## ABUSE REPORTING AND INVESTIGATIONS

Oregon law requires certain individuals to report suspected abuse of vulnerable persons to the relevant authorities immediately; these individuals are referred to as "mandatory reporters." Mandatory reporting requirements exist to help prevent and end abuse at the earliest possible opportunity. [House Bill 3071](#) added all elected officials to the list of mandatory reporters.

Several factors guide professionals who interview children concerning best practices, particularly in cases of suspected abuse. [Senate Bill 386](#) directs law enforcement to develop and report to the legislature on parental notification policies when child witnesses are interviewed.

Trafficking victims are often subjected to both physical and psychological coercion, rendering them unable or unwilling to seek help or attempt escape from forced labor or sex trades. The Oregon Liquor Control Commission (OLCC) regulates alcohol and marijuana industries and requires employees who prepare or serve alcohol to obtain an OLCC service permit. [Senate Bill 515](#) adds a requirement for certain service permit holders to report suspected trafficking or unlawful employment of minors to the OLCC and law enforcement.

Unnecessary and improper use of restraint and involuntary seclusion in residential facilities and child caring agencies can traumatize and physically injure the child, as well as the person applying the restraint. [Senate Bill 710](#) clarifies and codifies existing rules prohibiting the use of restraint or involuntary seclusion by unauthorized personnel against children in certain care facilities and homes, creates a training and certification process to qualify personnel in the proper administration of seclusion or restraint, and includes secure transportation service providers among those subject to regulation.

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See the **2021 Legislative Summary Report** for [Human Services](#), which highlights policy measures that received a public hearing during the Oregon's 2021 Regular Legislative Session.

## CHILD WELFARE

In August 2020, at Oregon Foster Youth Connection's virtual 2020 Policy Conference, current and former foster youth identified a need for more diverse membership on oversight entities. [House Bill 2505](#) provides for greater diversity of representation on the Governor's Child Foster Care Advisory Commission by creating a Child Welfare Equity Advisory Committee within it.

Court Appointed Special Advocates (CASAs) are specially trained volunteers appointed to advocate for children in court. [House Bill 2738](#) conditions the distribution of funds from the Department of Administrative Services to entity's responsible for coordinating CASA Volunteer Programs, on the submission of an annual plan for diversity, equity, inclusion, and accountability.

Family treatment courts (FTCs) concentrate similar cases together with appropriate providers, where families with substance use disorders are involved in the child welfare system. [House Bill 3366](#) (*not enacted*) would have established seven additional family treatment courts.

**FOOD INSECURITY**

The Oregon Hunger Task [Force](#) was created by the legislature in 1989 to raise awareness about the extent of hunger in the state, coordinate food and nutrition services, and recommend government action to alleviate hunger. [House Bill 2834](#) adjusts the composition of the Oregon Hunger Task Force to achieve equitable representation from communities most impacted by food insecurity, key advocacy groups, and legislative and executive branches of government.

**SUPPORTED CARE SETTINGS**

The number of individuals aging in long-term care facilities and residential care facilities is increasing. [House Bill 2397](#) creates the Senior Emergency Medical Services Innovation Program in the Department of Human Services (DHS) and an advisory body to support pilot projects concerned with emergency medical services for these residents and requires a report to the legislature. The measure also prohibits local governing bodies from taking local action affecting long-term or residential care facilities regulated by DHS.

Direct support professionals are privately employed individuals who support adults and children experiencing intellectual and developmental disabilities. [House Bill 2964](#) (*not enacted*) would have directed DHS to reimburse provider agencies for the cost of paying direct support professionals for certain facilities at wages that are at least 150 percent of the minimum wage and to adjust the wages for inflation.

The Oregon Health Authority (OHA) and DHS are responsible for licensing and regulating all manner of care providers and care facilities, which includes express authority to issue, deny, suspend, and revoke licenses. [Senate Bill 86](#) makes agencies' authority to take regulatory action against residential training homes and residential training facilities explicit. To address declines in the number of formal complaints and reports of suspected abuse or neglect across the state in the absence of in-person interactions with individuals in congregate settings due to the COVID-19 pandemic, [Senate Bill 556](#) specifies that certain site inspections must be conducted in person.

The Department of Human Services is required to make available an acuity-based staffing tool that it and residential care facilities may use collaboratively to evaluate whether the facility has enough qualified caregivers to meet residents' needs. [Senate Bill 714](#) establishes a deadline for DHS to pilot the tool; creates minimum requirements for tools adopted by facilities in lieu of using the tool DHS provides; and requires DHS to begin facility staffing assessments and take regulatory actions against noncompliant facilities.

To protect the addresses of persons with intellectual or developmental disabilities who reside in certain homes, [Senate Bill 90](#) exempts their addresses from disclosure pursuant to a public records request unless disclosure is required in the public interest.

The office of the Residential Facilities Ombudsman ([RFO](#)) responds to requests for assistance and advocates on behalf of intellectually and/or developmentally disabled individuals and those with mental health challenges who reside in licensed care facilities or homes, in confidence, at no cost. [Senate Bill 97](#) prohibits testimony or documents from the RFO's office from being compelled in proceedings that arise from complaints made to the office concerning residents.

To register and regulate residential care referral agents much like it already regulates long-term care referral agents, [Senate Bill 749](#) subjects residential care referral agents to regulation by DHS.

**OTHER HUMAN SERVICES LEGISLATION****Public Benefits**

Delayed suspension of an incarcerated person's publicly funded benefits can lead to overpayments and subsequent recovery efforts. [House Bill 2107](#) requires county supervisory authorities to notify OHA and DHS about persons in custody to allow for timely suspension of publicly funded assistance during periods of incarceration.

**Electronic Health Records**

Electronic health records (EHRs) are the digital equivalent of paper medical records. EHRs are

intended to be contemporaneous, patient-centered records that make information available instantly and securely to authorized persons. [House Bill 3039](#) (*not enacted*) would have directed OHA to convene stakeholders and experts to explore the application of EHRs to the delivery of social services.

### **Oregon Energy Assistance Program**

The Oregon Energy Assistance Program helps eligible low-income customers of Oregon's two largest electric utilities, Portland General Electric and Pacific Power, with their utility bills. [House Bill 2739](#) temporarily expands eligibility for and increases appropriation to the Oregon Energy Assistance Program.

### **Consumer Advisory Council**

The Oregon Health Authority is advised on substance use disorder and mental health policies by a Consumer Advisory Council. [Senate Bill 721](#) authorizes existing members of the Consumer Advisory Council who select new members to strive for a balance of representation across age, race, ethnicity, and geographic areas of the state.

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