

# SB 1515 Implementation FAQ

## Office of Adult Abuse Prevention & Investigations (OAAPI)

SB1515 strengthens the network of protection afforded a child placed in a child caring facility by strengthening the response to abuse and neglect in five main areas; Investigations, Screening, Notifications, Communication and Accountability/Transparency.

- **How does SB1515 help strengthen OAAPI operations?**

1. Requires immediate investigation of allegations of abuse or neglect. *[Roadmap, page 11]*
2. Definition of “child” changed to include persons up to age 21 if receiving care or services through a Child Caring Agency. *[Roadmap, page 1]*
3. Strengthens OAAPI's ability to investigate alleged abuse in licensed child-caring agencies by re-defining abuse definitions in-line with paid caregiving expectations. *[Roadmap, page 18]*
4. Lowers the burden of proof to substantiate abuse to "reasonable cause to believe" from “preponderance of the evidence”. *[Roadmap, page 23]*
5. Investigation outcomes defined in statute. *[Roadmap, page 23]*
6. Requires immediate notifications to ensure clear communication with all persons and authorities responsible for the child and young adult's safety and well-being. *[Roadmap, page 11-13, 20, 21, 24, 25]*

- **What's different?**

1. Previously OAAPI used an enhanced 5-day screening process. As of July 1<sup>st</sup>, screening must be immediate (within 24 hours). *[Roadmap, page 11, 20]*
2. OAAPI will commence an investigation within 24 hours of the determination that an allegation meets a definition of abuse. *[Roadmap, page 11, 20]*

3. Previously OAAPI investigated allegations of abuse by a Child Caring Agency or its staff for children under 18. As of July 1<sup>st</sup> OAAPI will investigate allegations of abuse by a Child Caring Agency or its staff for persons up to age 21. *[Roadmap, page 1]*
4. Investigation outcomes (unsubstantiated, substantiated, and inconclusive) will be applied differently based on the statutorily defined definitions and lower burden of proof. *[Roadmap, page 23]*
5. You will see more collaboration between Child Caring Agencies, the Office of Licensing and Regulatory Oversight, OAAPI, and Child Welfare to ensure child safety. *[Entire Roadmap, specific to page 11, 13, 15, 20, 21, 23-25]*

- **How are we preparing providers for this change?**

1. OAAPI is providing a mandatory reporting training for CCA providers. The training is intended for the following CCA providers:
  - a. Children’s residential care agencies
  - b. Day treatment programs
  - c. Therapeutic boarding schools
  - d. Foster care agencies; and
  - e. Outdoor youth programs
2. The training will educate participants on CCA abuse rule definitions, mandatory reporting, the investigative process, and due process. *[Roadmap, page 22]*

- **What else do stakeholders need to know?**

1. The bill specifies protections to those who report alleged abuse in good faith from criminal and civil liability and disciplinary action by an employer with respect to the reporting of abuse. *[Roadmap, page 23]*

2. The bill requires employees of Child Caring Agencies to immediately and personally report any alleged abuses of a child in care. This duty is not fulfilled by reporting alleged abuse to the owner, operator, or any other employee of a CCA. *[Roadmap, page 22]*

- **What else do stakeholders need to know about the rule making process?**

1. SB1515 mandates administrative rule changes to be effective by July 1, 2016. Temporary rules will be filed to meet this deadline.
2. During July through December OAAPI will be doing three things:
  - a. Developing the permanent rules with input from stakeholders. These rules will become effective on or before December 28, 2016.
  - b. Amending or adopting revised procedures to coincide with the rule changes.
  - c. Providing training for staff on updated policies and procedures.

- **If I Want to Give Feedback to OAAPI, How can I?**

1. You can send an email directly to OAAPI, to the OAAPI Directors Mailbox and it will be reviewed and responded to promptly:

[OAAPI.DirectorsOffice@dhsosha.state.or.us](mailto:OAAPI.DirectorsOffice@dhsosha.state.or.us)

[For more information, please visit the DHS website for SB1515 at:](https://www.oregon.gov/DHS/CHILDREN/Pages/sb1515.aspx)

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