

CAF Child Welfare Legislative Concepts
Brief Summary of Concepts
January 4, 2011

1. **LC 794** - ICPC (Interstate Compact for Placement of Children) – Introduces new ICPC Agreement - The current ICPC, created in 1960, is widely viewed as out-of-date, ineffective and in need of replacement. Thus far 12 states have adopted the new Compact. When 35 states have adopted it, the ICPC takes effect nationally. Oregon has adopted 2 other compacts that are similar to the ICPC, the Interstate Compact for Juveniles (2009 legislature) and the Interstate Compact for the Supervision of Adult Offenders (2001 legislature).

2. **LC 795** - Boarding Schools – Allows DHS to review Boarding Schools that provide treatment to students in a way more similar to residential treatment facilities - Differentiates the “Therapeutic Boarding School” from the “Academic Boarding School” and more closely aligns licensure and regulation with the safety needs and standards of programs that serve a boarding school population with therapeutic needs.

3. **LC 798** - Permanent Foster Care – Aligns state law language to match federal law language (which does not recognize “permanent foster care” as a category) - Federal law does not recognize “permanent foster care” as a legal option for children in foster care. ORS 419A.004 currently contains definitions for “permanent foster care” and “planned permanent living arrangement” as two distinct forms of permanency. This concept would clarify that permanent foster care is not a permanency option by eliminating the definition of “permanent foster care” and defining the federally approved definition of “another planned permanent living arrangement” in Oregon statute.

4. **LC 799** - Adoption Assistance Re-determination – Oregon law needs to be in alignment with federal law which provides specific criteria for the adjustment and re-determination of adoption assistance subsidies. Currently, the department is required to annually re-determine adoption assistance and has discretionary authority to adjust subsidies which is contrary to federal law. In addition, the requirement to annually re-determine adoption assistance subsidies taps state resources by requiring an annual letter to about 11,000 recipients and results in requests for increased subsidies.

5. **LC 800** - Fostering Connections – Allow adoption assistance subsidies to continue until age 21 for young adult adoptees who had finalized adoptions after turning age 16 and before age 18 provided that they are engaged in specific academic or vocational preparation programs, or meet the basic eligibility criteria and have disabilities preventing them from independence at 18.

6. **LC 801** - Equity Legislative Concept – Requires DHS Child Welfare to provide a racial impact analysis for certain proposed legislation, requires certain data to be collected and reported regarding certain racial/ethnic groups and requires a percent of Child Welfare contracts be used for certain racial/ethnic groups.

Other Legislative Information

Interim committee Information:

In December, DHS child welfare participated with the Interbranch Work Group to provide a “Dependency Skit” to the Joint Judiciary Interim Legislative Committee. CAF was also invited to provide informational testimony to the House Human Services Committee regarding an update on the Wraparound Initiative and on Human Trafficking.

Legislative Session:

It appears the legislature will meet January 10, 2011 to open session and perform some Floor and Committee duties for a couple of days, then adjourn until February 1, 2011. Beginning February 1, 2011, the legislature will begin Committee hearings regarding legislation and will begin the Ways and Means process.