

# 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 Agency (CCA) by strengthening the response to abuse and neglect.

### How does SB1515 help strengthen OAAPI operations?

- Expands the definition of "child" changed to include persons up to age 21 if receiving care or services through a CCA.
- Changes the definition of abuse to align with the definition that applies in other paid caregiving settings.
- Aligns the burden of proof with Child Protective Services CPS to substantiate abuse to "reasonable cause to believe".
- Requires immediate notifications to ensure clear communication with all persons and authorities responsible for child and young adult's safety and well-being.

### What is different?

- The Department has always been required to immediately investigate reports of abuse; that is reemphasized in SB 1515. The Department will immediately begin the screening and investigation process when reports of child abuse are received.
- 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 CCA or its staff for persons up to age 21.

- Investigation outcomes (unsubstantiated, substantiated, and inconclusive) will be applied differently based on the statutorily defined definitions and new burden of proof.
- You will see more collaboration between child-caring agencies, the Office of Licensing and Regulatory Oversight (OLRO), OAAPI, and Child Welfare to ensure child safety.

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

OAAPI is providing a mandatory reporting training for the following CCAs:

- a. Children's residential care agencies
- b. Day treatment programs
- c. Therapeutic boarding schools
- d. Foster care agencies
- e. Outdoor youth programs

The training will educate participants on abuse rule definitions, mandatory reporting, the investigative process, and due process.

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

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.

SB 1515 reemphasizes the requirement that employees of CCA agencies 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.

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

SB1515 mandates administrative rule changes to be effective by July 1, 2016. Temporary rules will be filed to meet this deadline.

During July through December OAAPI will be doing three things:

- a. Developing the permanent rules with input from stakeholders.
- 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?**

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

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

For more information, please visit the DHS website for SB1515 at:

<https://www.oregon.gov/DHS/CHILDREN/Pages/sb1515.aspx>