

Senate Bill 243 Child Safety in Substitute Care

Summary

On August 15, 2017, Governor Kate Brown signed Senate Bill (SB) 243 into law. The legislation expands some requirements in SB 1515 (2016) that were previously limited to child-caring agencies (CCA) to other substitute care settings, in particular DHS certified foster homes and developmental disabilities (DD) residential facilities (commonly referred to as DD foster homes and DD group homes.)

Expanded Definition of Abuse

- An expanded definition will apply to DHS certified foster homes and DD residential facilities.
- The expanded definition includes things like involuntary seclusion, sexual contact between a provider and child, and financial exploitation.

Internal Communication

- When a report of abuse in substitute care is received, DHS must notify "all appropriate" DHS staff.
- This means that any staff who has a connection to the child named in the report (such as the child's caseworker) as well as any staff who has a connection to the substitute care setting (such as the foster home's certifier) must be notified regarding the report so that child safety information can be shared.

External Communication

- Requires notification to external parties, such as the child's parent, attorney, court appointed special advocate (CASA), and Citizen Review Board (CRB) when a report is received and when a report is substantiated.
- Requires DHS to report crimes to law enforcement, even if unrelated to the report of abuse.
- Requires a quarterly report to the Legislature regarding substantiated reports of abuse in substitute care.

Certification and Licensing Standards

- Substitute care providers who have employees, staff, or volunteers must provide annual training on the requirement to report child abuse to the hotline.
- DHS may suspend or revoke a provider's license or certification for interference with or hindering a child abuse investigation.

Rights of Children

- Allows a child to be interviewed without the presence of a foster parent or DD residential facility staff.
- Allows the child to have their parent or guardian or attorney present during an interview.