

House Bill 3835B: Fair access to appropriate care for children with behavioral health needs

Problem: Providers say regulations are turning them away

Too many of Oregon's most vulnerable children—those with serious mental and behavioral health needs—are being denied the care they need to recover and grow. Confusing and restrictive rules are tying providers' hands, preventing them from using their training to help. As a result, children who need specialized support are stuck in emergency rooms or temporary hotel stays instead of getting treatment in settings built to help them heal.



**41% decrease
in licensed residential
treatment facilities**

(from 90 to 53 since 2014.)



**More than half of specialized
foster care programs have
disappeared**

(from 31 to 14).



730 kids were left without access to the intensive care they needed for serious mental health or substance use issues in just the first three months of 2025. (982 children were referred to Oregon's Psychiatric Residential Treatment Facilities—but only 252 were admitted.)

Solution: Increase access with practical, targeted, accountable fixes

1

Clarity and Consistency in Child Abuse Investigations

- Establishes uniform definitions for “abusive restraint” and “abusive seclusion” across care settings.
- Differentiates between harmful acts and regulatory violations, helping ensure the right investigations occur—without over-penalizing qualified providers responding to crises who use their training in approved crisis intervention training protocols.
- Maintains strong safety standards and protections for children's safety.

2

Removes Barriers to Treatment for Children in State Custody

Under current law, only children not in Child Welfare custody can access medically necessary, out-of-state behavioral health care. HB 3835B ensures children in state custody can also access medically necessary care, under strict conditions, including:

- The treatment is not available in Oregon.
- The child is a Tribal member and the Tribe supports out-of-state treatment.
- The child lives near a state border and care is closer out-of-state.
- The child is placed with out-of-state family and continuation of treatment there is least disruptive.
- Defines in statute clear oversight protocols including court approval for treatment, licensing reviews and site visits by the interdisciplinary care team.
- Holds out-of-state providers accountable to Oregon's standards.

3

Strengthens Oversight and Access

- Increases monitoring and oversight by the Legislature
- Ensures secure transport services are clearly regulated and appropriately licensed across OHA and ODHS.
- Allows qualified service providers to become licensed child-caring agencies, expanding provider capacity responsibly

Why HB 3835B:

Because no child should be denied care because of where they live or because of who cares for them.

Children in crisis can't wait for Oregon's systems to catch up. HB 3835B is a vital, bipartisan step toward rebuilding a continuum of care for kids with serious behavioral health needs. It cuts through regulatory red tape, restores provider confidence, and—most importantly—ensures that no child is denied care because of where they live or who cares for them.

