Oregon
Kate Brown, Governor

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Report to Interim Committees of the Legislative Assembly Related to Human Services HB 2233 Advisory Committee Recommendations Related to Residential Care for Children, Youth or Youth Offenders

December 15, 2015

House Bill 2233, enacted in the 2015 Regular Legislative Session, established an advisory committee within The Office of Adult Abuse Prevention & Investigations (OAAPI) which provides services to several programs of the Department of Human Services (DHS) and Oregon Health Authority (OHA) that serve:

- Adults over the age of 65;
- Adults with physical disabilities;
- Adults with intellectual/developmental disabilities;
- Adults with mental illness; and
- Children receiving residential/therapeutic services.

The purpose of the advisory committee was to advise the Department and OAAPI with respect to residential care for children, youth or youth offenders that are subject to the oversight and administration of OAAPI.

HB 2233 required the submission of a report to the interim legislative committees on the advice and recommendations provided by the advisory committee, including: (a) the need to adopt new or amend existing administrative rules; (b) the status of existing processes to investigate residential care and the need to improve or expand such processes; (c) the current processes for making findings of abuse or neglect in residential care; (d) strategies for ensuring the safety of children, youth or youth offenders in residential care.

HB 2233 Advisory Committee Members

Appointed Committee Members:
Marie Cervantes, Director, Office of Adult Abuse Prevention and Investigations
John Thompson, Deputy Director, Office of Adult Abuse Prevention and Investigations
Michelle Morman, Investigator, Office of Adult Abuse Prevention and Investigations
Debbi Kraus-Dorn, DHS Office of Developmental Disability Services
Harry Gilmore, DHS Office of Licensing and Regulatory Oversight
Laurie Price, DHS Child Welfare
Kris Scrabeck, Oregon Youth Authority
Janet Arenz, Director, Oregon Alliance of Children's Programs
Leslie Sutton, Oregon Council on Developmental Disabilities
Bob Joondeph, Disability Rights of Oregon

Francis Maher, St. Mary's School for Boys
Peter Rosenblatt, Albertina Kerr
Robin Donart, Maplestar
Angela Allbee, DHS Legislative Coordinator and HB 2233 Project Manager
Chris Edmonds, DHS Government Relations
Adriana Miranda, DHS Executive Support and HB 2233 Support

Additional key attendees:
Kevin George, DHS Child Welfare
Khris Ward, Oregon Youth Authority
Rebecca Fetters, Quality Assurance, Office of Adult Abuse Prevention and Investigations
Annette Hilton, Oregon Youth Authority
Bruce Baker, DHS Office of Developmental Disability Services

Advisory Committee Meetings

The committee met on September 8, October 5, and November 2, 2015. A governance structure that included a briefing memo, meeting minutes, presentations, and flowcharts to reflect the status of existing processes were produced to comply with subsections (b) and (c) of HB2233. In order for the committee to be effective and meet the remaining statutory requirements, members were in agreement that foundational work products were necessary sources of information to use prior to assessing the need to adopt or amend existing administrative rules and ultimately develop strategies for ensuring the safety of children, youth or youth offenders in residential care. All artifacts related to the advisory committee meetings are attached to this report.

Key Findings

1. The committee accomplishments include subsections (b) and (c) of HB2233 which are attached as three individual process charts that detail the status of existing processes to investigate residential care and the current processes for making findings of abuse or neglect in residential care. The charts include the investigation process, cross-agency roles, notifications, cross-reporting and incorporate Child Welfare, Office of Licensing and Regulatory Oversight, Office of Adult Abuse Prevention and Investigations and the Oregon Youth Authority. Copies of the charts are attached to this report. In addition, presentation materials were provided by appointed and key committee members which helped eliminate, create, and/or refine identification of problems within the system as well as solutions to address them.

2. The committee has been considering a number of continuing activities that could make a difference in the way in which providers and state agencies approach child safety. This includes research on best practices, review of regulatory practices by other states and the creation of consistent standards. The committee also understands the scope of our work must recognize other activities related to the safety of children, youth or youth offenders in residential care so we are seamless in our approach.

3. The committee agreed that future meetings to discuss issues and solutions would need to continue in order to determine the need to improve or expand processes; adopt new rules or amend existing administrative rules and develop well-informed strategies.

Recommendations

The HB 2233 Advisory Committee agreed to the following recommendations:

1. Engage in continued meetings on a quarterly basis with a goal of making specific recommendation(s) to the legislature by September 1, 2016.

2. The committee will address issues that were raised during the prior meetings that are within the scope of HB2233 or refer the issue to the most appropriate source for follow-up.

3. The specific issues identified by the committee are as follows: improved understanding of precipitated events related to the use of seclusion/restraint; investigation authority gap in school settings; terminology; gap in investigations support for children; PRN medications; AER reports; false abuse allegations; clarification of calls received at screening; non-residential investigations; differential response; administrative findings; fines; reference checks; verbal abuse; and support for providers during abuse investigations.

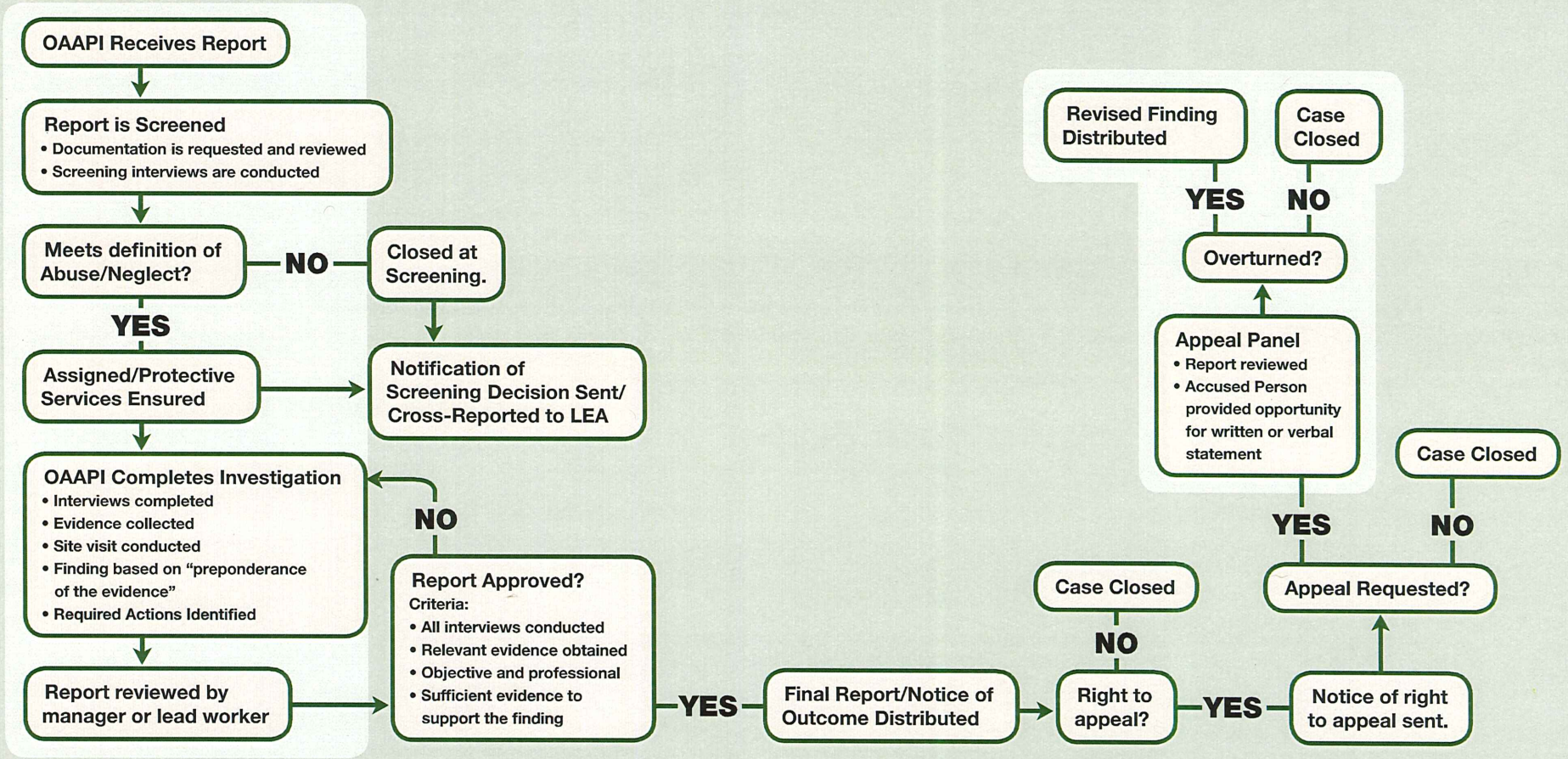
Thank you for the opportunity to provide this report related to residential care for children, youth or youth offenders. The advisory committee members have a shared commitment to the children we serve and it is our goal to work together to make changes that result in positive benefits.

Please contact Marie Cervantes at (503) 945-9491 or Marie.G.Cervantes@state.or.us if you have any questions or concerns.

Respectfully,

Marie Cervantes, Director
Office of Adult Abuse Prevention and Investigations
A shared service of DHS and OHA

BASIC OAAPI INVESTIGATION AND DISTRIBUTION PROCESS



OAAPI

Partnering to achieve cultural and service equity by preventing abuse, protecting people in need, integrating communities, valuing those who do the work and committing to quality in all we do.

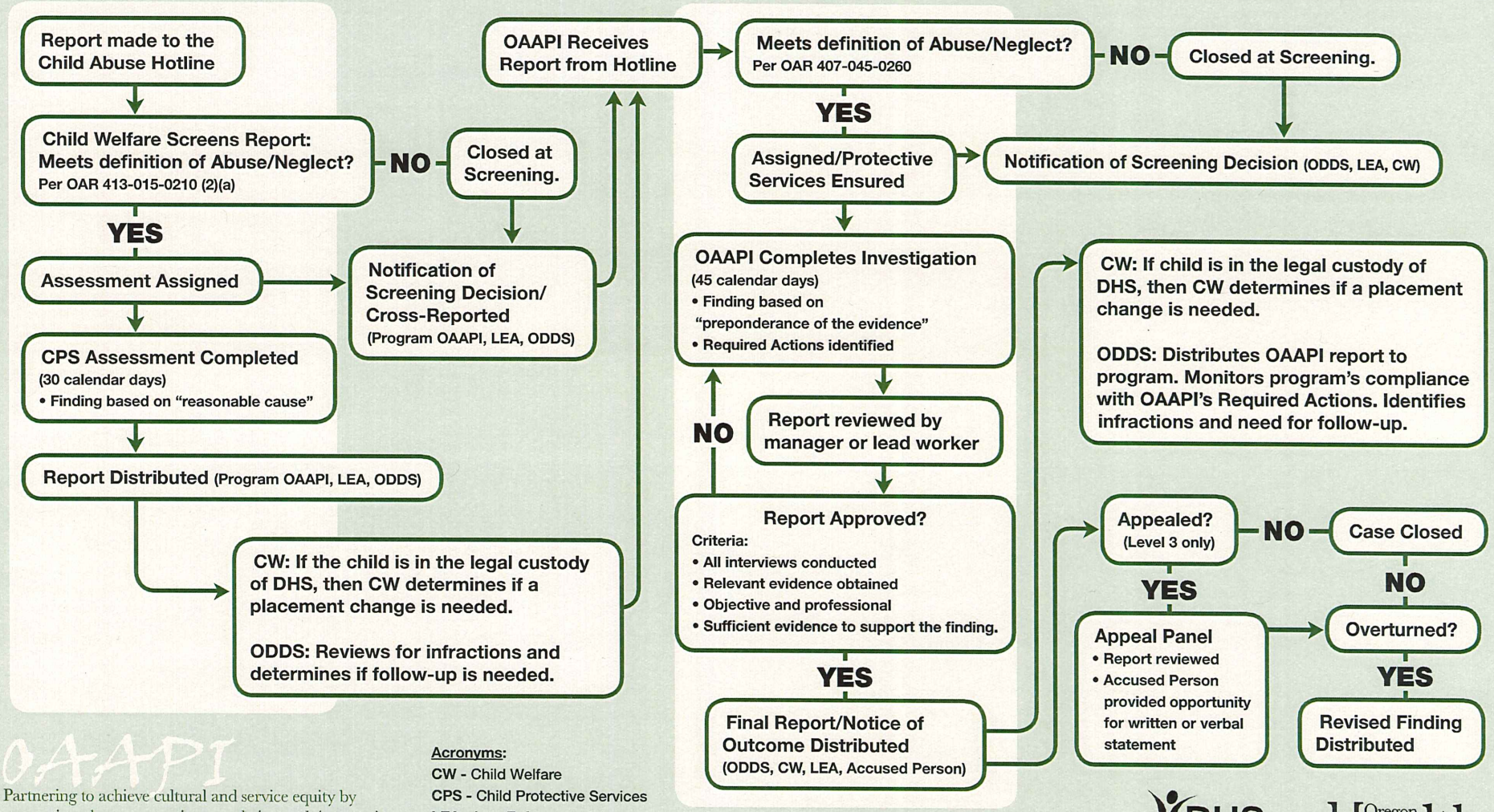
Acronyms:
LEA - Law Enforcement Agency
OAAPI - Office of Adult Abuse Prevention and Investigations

DHS Oregon Department of Human Services

Oregon Health Authority

SDS 9237 (11/2015)

CHILDREN'S ID/DD Programs: AGENCY-WIDE INVESTIGATION PROCESS



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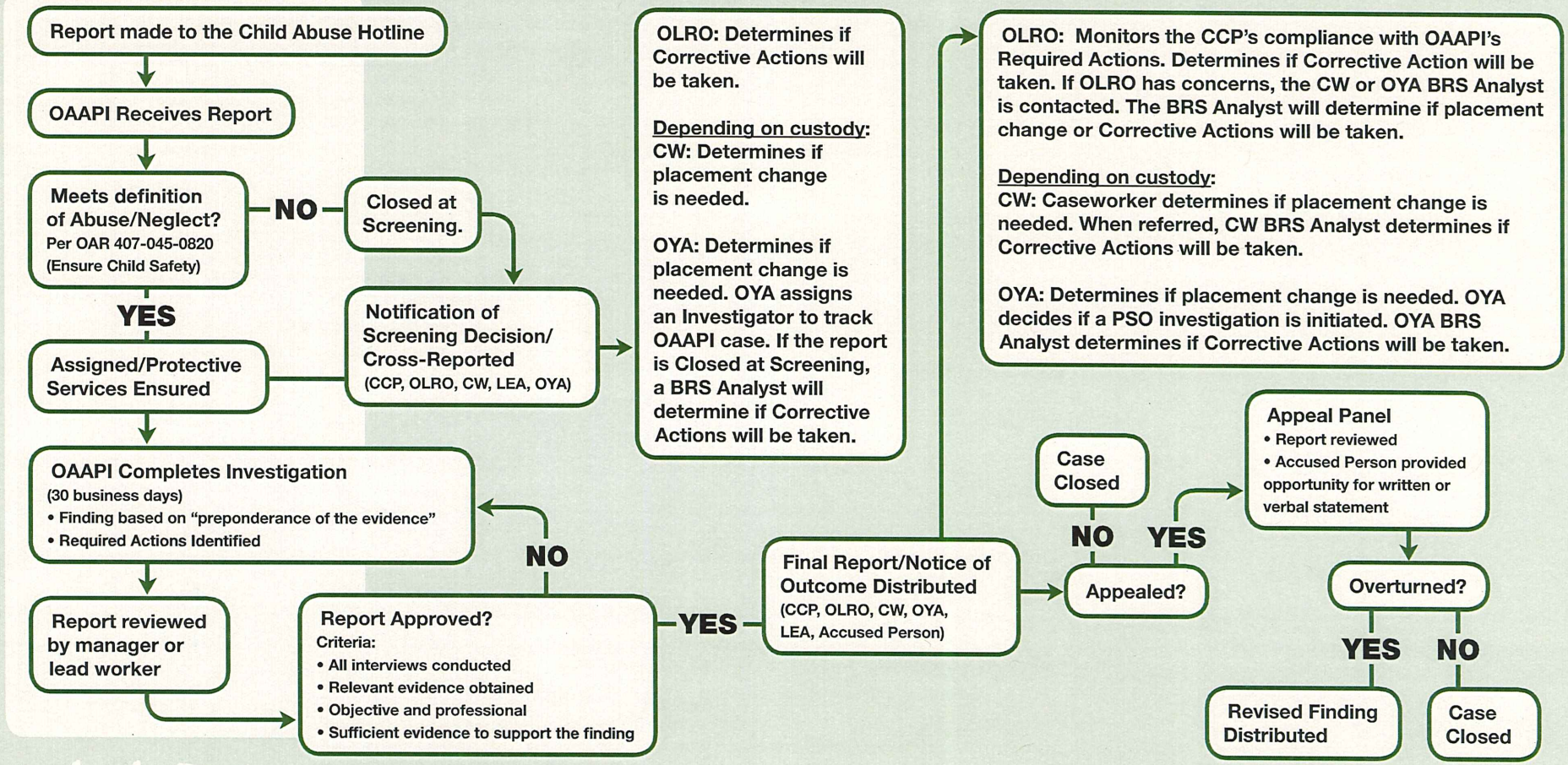
Acronyms:
CW - Child Welfare
CPS - Child Protective Services
LEA - Law Enforcement Agency
ODDS - Oregon Developmental Disability Services
OAAPI - Office of Adult Abuse Prevention and Investigations

DHS Oregon Department of Human Services

Oregon Health Authority

SDS 9236 (11/2015)

CHILDREN'S CARE PROVIDERS: AGENCY-WIDE INVESTIGATION PROCESS



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Acronyms:

BRS - Behavior Rehabilitation Services	CCP - Children's Care Providers
LEA - Law Enforcement Agency	OYA - Oregon Youth Authority
PSO - Professional Standards Office	OLRO - Office of Licensing and Regulatory Oversight
OAAPI - Office of Adult Abuse Prevention and Investigations	

DHS Oregon Department of Human Services

Oregon Health Authority

SDS 9235 (11/2015)