



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

Oregon's At-risk Children

In 2007, there were 10,716 children who were victims of abuse or neglect. Of these children, almost 75 percent were abused by one of their parents and nearly 50 percent were under the age of six. On any given day in 2007, between 9,500 and 9,800 kids were in state custody. Unlike other states, Oregon's child welfare system does not mirror national trends in terms of the racial and/or ethnic make up of the children in foster care, because a majority of their cases are not made up of children of color. The majority of children, 63.1 percent, were Caucasian and in 10.4 percent of the overall cases, race was not recorded. Nearly 30 percent of the children in family foster care in 2007 were placed with relatives. Sixty-four percent of children exiting foster care returned to their families, 18.3 percent were adopted and 6.1 percent entered into a guardianship arrangement, mainly supported through the state's IV-E waiver. That same year, there were 995 finalized adoptions, in which 26.2 percent were minority children. Seventy-five percent were adopted by either non-relative foster parents or by a relative. Three hundred and thirty-four of the children exited foster care to guardianship.¹

Oregon's Budget Landscape

Oregon's budget forecast for the next biennium is dreary. Recent estimates put the budget shortfall for the next biennium at least \$3 billion. However, on a more positive note, Governor Kulongoski's budget proposal recommends an increase in funding for Oregon's Department of Human Services, which is where child protective services, such as foster care, adoption and guardianship, are located. Part of the additional funds would be used to upgrade the IT system used by child welfare caseworkers so that there is a single, integrated system.²

P.L. 110-351 State Options

Oregon intends to implement the new Guardianship Assistance Program (GAP) and is planning to get their State Plan to ACF Children's Bureau by the end of March. No legislative changes are necessary to implement the GAP; however, some policy language changes are needed. For example, Oregon's GAP children and relatives must live together for twelve months as opposed to the six months in the new federal law. Additionally, there is concern that 54 children will not be grandfathered in because they entered into a guardianship arrangement between September 30, 2008 and December 31, 2008. It is also important to note that Oregon's current IV-E waiver received a short-term extension to January 2010 and there is uncertainty about what will happen next.³

With regards to the option to support eligible youth to the age of 19, 20 or 21, Oregon law provides services through the youth's 20th birthday. State child welfare administrators are exploring the option to implement care to age 21. The situation is similar with regards to supporting youth who exit to guardianship after age 16. Oregon currently supports these youth until age 18. Currently, the state provides services to youth as young as 14 with Chafee funds and the administrators are exploring the intersection of Chafee and P.L. 110-351 funding for these youth.⁴

Oregon Tribes

Oregon has nine federally recognized tribes and the state has IV-E agreements with six of these tribes. Two tribes, Confederated Tribes of Siletz and Klamath Tribes, are considering operating their own programs. The other four tribes who have IV-E agreements with the state are Coquille Indian Tribe, Confederated Tribes of Grand Ronde, Confederated Tribes of Umatilla and Confederated Tribes of Warm Springs.⁵

P.L. 110-351 Mandatory Provisions

Oregon is not requesting a delay in implementing any of the mandatory provisions. The state has robust laws and requirements in all of these areas. Each provision is discussed in more detail below.

Relatives are notified by mail once a child enters the child welfare system. Relative Search Information packet (including letter) **attached**. The letters are sent certified.

Regarding educational stability, Oregon has a state law that states that children in foster care, retain dual residency if they are placed in a new school district. The state provides transportation or reimburses transportation costs so the children can continue to attend the school in which they were enrolled prior to placement. Additionally, there are other rules requiring that school records are expedited if the child does transfer to a different school. Finally, Oregon reports to the court on the educational status and outcomes for children in their care. It is important to note that, while Oregon is committed to ensuring educational stability for children in foster care, this commitment has cost much more than originally anticipated.⁶

Children who are placed in foster care are able to remain in the school they were attending prior to entering foster care, even if they no longer live in that school's catchment area. So for purposes of school placement, they remain 'residents' of the school area in which they lived prior to being placed in foster care.

The state has a law with regards to the use and tracking of psychotropic medications in regards to children in foster care. There is an additional bill being debated that deals with providing additional oversight on the use of psychotropic medications. When youth exit the system, they walk out of the courtroom with their complete health records in hand.⁷ New legislation would require other qualified health professionals to prescribe psychotropic medications for foster children – currently psychotropic medication prescriptions are written by only by the child's pediatrician. The state child welfare agency considers it problematic that the bill would limit prescribing o qualified health professionals, due to uneven access throughout the state. The annual review of prescribed medication would require the contracting or hiring of an impartial or independent evaluator.

Two years ago, Oregon passed a law which requires that one of the first placement considerations must be that siblings are placed together. If it is not possible for siblings to be placed together, it must be documented as to why this did not occur and a visitation plan is required. Oregon requires diligent efforts to place siblings together, holding itself to a higher standard than 'reasonable' efforts. The state is happy to report that at least 80 percent of siblings are placed together.⁸

All Oregon youth 16 or older must have a comprehensive transition plan. Some caseworkers may require a comprehensive transition plan at age 14. These plans must address health, education and housing issues in addition to community and relative supports. Oregon has found that youth decision meetings work best with a trained facilitator; however, facilitators cost money and especially during these difficult financial times, it is hard to provide facilitators.⁹

Family Connections Grants

Oregon is evaluating its options surrounding the Kinship Navigator, Intensive Family Finding and Family Group Decision Making grants.

Opportunities and Challenges

There are several challenges facing Oregon administrators and case workers. The state agency feels it is very disappointing that non-relatives are not covered under the new law. The current economic situation, coupled with an increased workload, adds to the challenges facing case workers. The current economic situation makes it difficult for Oregon to gain the focus and momentum needed to effectively advocate for legislative funding and support at the state level. In addition, Oregon's main focus is working on its Program Improvement Plan (PIP), which has taken away from being able to focus on Fostering Connections Options. Although Fostering Connections makes youth who are adopted or placed in a guardianship arrangement eligible for Chafee funds, Congress did not appropriate additional money for the increases in the number of eligible youth who are eligible. Oregon reduced the amount of Chafee funds for older youth who age out to cover the additional clientele.¹⁰

Conclusion

Oregon has experienced a steady decrease in foster care caseloads. The decline is attributed to four areas.

The first is a decrease in methamphetamine labs due to the state law requiring all medications containing pseudoephedrine e placed behind the counter, instead of on the shelves. The control of the drug has resulted in a decrease in labs manufacturing methamphetamine and has also reduced the numbers of children coming into foster care from meth lab busts.

The second is an increase in funding for and availability of alcohol and drug treatment for parents of children on child welfare caseloads.

The third is the implementation of the Oregon Safety Model, which focuses on keeping children safely at home whenever possible and safely returning more children to their homes.

Finally, Oregon has continued to have high rates of guardianship and adoption placement and finalization.

Oregon Safety model.

The Oregon Safety Intervention Model represents an overarching process that requires safety assessment and safety management at all stages of case management from screening through case closure.

The Safety Intervention Model includes all actions and decisions required throughout the life of a case to:

- Assure that an unsafe child is protected;
- Support and facilitate the parent taking responsibility for the child’s protection whenever possible;
- Reconfirm the child’s safety at home or in out-of-home care throughout the life of the case; and
- Achieve the establishment of a safe, permanent home for the child.

As a result of DHS implementing a structured decision making model, such as the Oregon Safety Model, better decisions about the safety needs of children in Oregon have been made.

¹ DHS 2007 Status of Children in Oregon Report
² Governor’s proposed budget for 2009-2011
³ Conversation with Angela Long, Nancy Keeling and Kevin George
⁴ Ibid.
⁵ Ibid.
⁶ Ibid.
⁷ Ibid.
⁸ Ibid.
⁹ Ibid.
¹⁰ Ibid.

Release Date: April 23, 2009

A special thank you to Casey Family Program for their financial support and guidance during this project. For more information on the How States are Implementing the Fostering Connections documents, please contact Courteney Holden, Senior Legislative Associate, American Public Human Services Association (APHSA) at 202-682-0100 ex 249 or by email at Courteney.Holden@aphsa.org.