

**HOUSE COMMITTEE ON CHILDREN AND FAMILIES**

May 22, 1997 Hearing Room D

1:00 PM Tapes 109-110

**MEMBERS PRESENT:**

Rep. Liz VanLeeuwen, Chair

Rep. Kitty Piercy, Vice-Chair

Rep. Bob Jenson

Rep. Jeff Kruse

Rep. Kurt Schrader

Rep. Mark Simmons

**MEMBER EXCUSED: Rep. Dennis Luke**

**STAFF PRESENT:**

Janet Carlson, Administrator

Berri Sellers, Administrative Support

**MEASURE/ISSUES HEARD:**

SB 643 Work Session

HB 3728 Public Hearing and Work Session

HB 3183 Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

Tape/#	Speaker	Comments
<b>TAPE 109, A</b>		
002	Chair VanLeeuwen	Chair calls meeting to order at 1:26 pm. Opens work session on SB 643.
<b><u>SB 643 WORK SESSION</u></b>		

009	Rep. Kruse	<b>MOTION: Moves SB 643 to the floor with a DO PASS recommendation.</b>
017	Keith Flicker	<b>Manager of Residential Resources for Services to Children and Families. Opposition to the bill without the proposed amendments.</b>
022		<b>Explains that this may have a negative impact on their ability to collect federal funding. This may create additional funding liabilities for the agency.</b>
029	Janet Carlson	<b>Explains that the original bill changes the court standard for reviewing the placement of a dependent child from the language "so inappropriate as to violate the rights of the child," to "not in the best interest of the child." Amendments add the line "does not address the child's needs."</b>
044	Chair VanLeeuwen	<b>What is the difference between "best interest" and "does not address the child's needs?"</b>
048	Flicker	<b>Explains that the language change clarifies the bill further.</b>
098	Nancy Miller	<b>Comments that the current law is not clear about judges making specific orders about placements. Spells out what a type of placement means.</b>
118		<b>Does not believe that the bill in its original form does not jeopardize federal funding.</b>
123	Rep. Schrader	<b>The agency does not want to be caught with someone saying they made a bad placement to start with, isn't that what they're saying?</b>
140	Timothy Travis	<b>Juvenile Rights Project, Inc. We are concerned about the child's treatment needs being met.</b>
158	Rep. Kruse	<b>Comments that the chair of the committee where his similar bill is being heard would like the Children and Families Committee to pass this bill as is.</b>
166	Rep. Schrader	<b>Why?</b>
169	Rep. Kruse	<b>Explains that this simple change in the language allows them to do their job better. This bill is for the judges, not the agency.</b>
		<b>VOTE: 4-0</b> <b>EXCUSED: 3 - Jenson, Luke, Piercy</b>
194	Chair VanLeeuwen	<b>Declares the motion CARRIED.</b>
212	Chair VanLeeuwen	<b>Closes work session on SB 643. Opens public hearing on HB 3728.</b>
<b><u>HB 3728</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		

224	Carlson	Explains the -3 amendments to HB 3728 (EXHIBIT A). Discusses the difference between the -2 and the -3.
236		Explains that the sunset date is 2001.
261	Chair VanLeeuwen	Explains the addition to the packet from the grandparents.
282	Gary Weeks	Director of the Department of Human Resources. Thanks Rep. Kruse for the time that he has put into this bill and his willingness to compromise on the issues.
306		Explains that he has created a task force that will look at the adoptions programs.
326		Details that the hand engrossed version of the -4 amendments to HB 3728.
347		Lines 16 deleted limiting the number of people from the Department of Human Resources that can be a part of the adoption task force.
360		Page 2, line 7 changes the language that says "expect the task force to report to the interim committee." Changes to "shall" instead of "may."
370		Line 17, task force shall recommend the schedule. You can't give this task force any authority to establish a fee schedule, that is the legislature's job.
394		Page 3, lines 5-9 talks about records of case work with blind access. The intent is to try to preserve the privacy of these children after they have gone through some tough times.
417	Vice-Chair Piercy	Comments that the language there should be even stronger.
<b>TAPE 110, A</b>		
054	Kay Toran	Explains that she would encourage the language to read "the finalization of adoption."
059	Rep. Schrader	Are we ensuring that there is appropriate follow-up with the adoptive parents after they have adopted their child?
066	Weeks	Comments that there would be benefit to us talking to adoptive parents and finding out what they thought of the process.
081	Chair VanLeeuwen	Comments that she is comfortable with the post-adoption process.
093	Weeks	Discusses definition of blind access. Anticipating that Legislative Counsel would look at this and if blind access needs a definition, then they would provide that later.
100		Explains that on page 3, they are reinforcing the notion that if there are priority recommendations that the task force identifies early on that they would bring those to the attention to the department.
117		Explains that the repeal date would be June 30, 1999.

150	Chair VanLeeuwen	Calls Susan Cox to the witness table.
160	Jeanne Arana	Represents Holt International Children's Services. Introduces Susan Cox.
164	Susan Cox	Development Director for Holt International Children's Services. Discusses her interest in the issues of adoption. Provides written testimony (EXHIBIT B).
186		Explains that Holt favors the task force being appointed by the governor. Believes that the task force should involve a variety of specific issues including AIDS, fetal alcohol syndrome, low birth weight, ethnicity and other social problems that might be dealt with by an adoptive child.
208		Explains that confidentiality is critical to good adoption practices.
214		Favors including language of finalization, rather than post-adoption language.
236		Explains that a task force will eventually create more work for the Department of Human Resources.
270		Comments that these children deserve the best opportunities.
273		Discusses cases that were circumvented. Explains that people don't always understand adoption and that we should focus on the norms in adoption rather than the exceptions. The public does not have a good understanding of the full range of adoption issues.
295		Explains that Holt tries to work within the systems.
304		Supports the creation of an adoption task force with the above provisions.
309	Chair VanLeeuwen	How many adoptions do you do a year?
319	Cox	We place about 1,000 children a year. In Oregon about 100 children.
327	Chair VanLeeuwen	How many were from the State of Oregon?
332	Cox	Nine placements were from Oregon.
336	Chair VanLeeuwen	How many were from other countries?
341	Cox	Majority are from other countries.
350	Chair VanLeeuwen	How many are special needs children?
354	Cox	Between 38-45 percent.
406	Rep. Kruse	Comments that we have addressed all of the appropriate concerns in these amendments and he will let Legislative Counsel explain the rest of the issues.

412	Virginia Vanderbilt	Legislative Counsel. On line 7, instead of "with blind access," suggests that task force be given all records of casework with all identifying information removed. On line 9 add a new sentence that says that the task force "shall not have access to new records that have been sealed by the court."
<b>TAPE 109, B</b>		
023	Vanderbilt	Explains that on page 2, line 3, she recommends that we should put "through the finalization of adoption."
035		Explains the sunset provisions. December 31 is used because if the sunset is extended, then the new biennium legislation will not become active until ninety days after passage and the old legislation could expire before the new legislation takes effect.
056	Rep. Simmons	At what stage of an adoption process are the records sealed?
062	Kelly Shannon	The records are sealed at the time the adoption decree is signed by the court. The decree finalizes the adoption.
070	Rep. Kruse	How long does the family have the child before the child is officially adopted?
075	Shannon	Average length of time is 5.4 months.
088	Rep. Kruse	How long from the point the child enters the adoptive parents home until the decree is signed?
092	Shannon	Depends upon how soon the papers go through the agency.
115	Rep. Kruse	This does not preclude us from looking back at the agency's records on adoption.
122	Shannon	The data would still be in place
124	Cox	Part of the finalization process is when everything is settled into place, that is why it is a variable length of time.
143		Beyond the formalized adoptions, these children come with a lot of baggage. There will be ongoing support for these families.
184	Chair VanLeeuwen	What is the fee that you charge when you adopt out a child?
188		Private agencies receive \$748 for each completed home study; \$1002 at time of placement; \$1042 at the time of final finalization.
212	Chair VanLeeuwen	How does that compare with the money you receive for out-of-state or out-of-country adoptions?
229	Cox	Fees do not cover the expense of the services. For an organization to be placing these children it requires a demonstrated commitment.
215	Chair VanLeeuwen	Are you saying that you receive more money for adoptions that are not through SCF?
220	Cox	Correct.
236	Rep. Jenson	

		Does the Council on Accreditation have standards that deal with the sealing of adoption records? Comments that we should work within their language.
250	Cox	Will provide that language at a later time.
254	Rep. Kruse	Comments that he wants the language of this bill in the language of Oregon statutes.
276	Nancy Miller	Citizen Review Board Director. Discusses her concerns and proposed changes.
295		On page 2, lines 29 and 30, what is the purpose of requiring the adoption agency to provide information if you're looking at the Department of Human Resources. Suggests that on page 3, line 3 after the word information, add the words, "otherwise confidential by law."
342		Strike the word "is." Add the word "remains."
355		Comments that if the language remains as is, then they will have difficulty accessing the smallest amounts of information.
360	Rep. Kruse	Comments that he is fine with these changes.
417	Roxanne and Dan Rueckert	Explain that they left the country in order to adopt a baby because it took too long to adopt a child within the United States. Provide written testimony (EXHIBIT C).
<b>TAPE 110, B</b>		
026	Rueckert	Comments about their experience adopting a child from Russia.
042	Rep. Simmons	Asks them to elaborate on current adoption law.
045	Rueckert	Explains that because of Oregon law, they were concerned that the biological parents would try to come back and gain custody of the child.
051	Sandy Temple	PLAN Adoption. Explains that international adoptions are misunderstood. Provides written testimony (EXHIBIT D).
081		People believe that adoptions within the United States take too long and are cumbersome.
090		Comments that 90% of families are scared away by the United States adoption system.
111	Linda Vollman	General Manager for PLAN Adoption. Explains that she is a biological mother as well as an adoptive mother. Provides written testimony (EXHIBIT E).
125		Comments that in 1977 out of 21 families that had home studies done and applied for adoption within SCF, not a single family received a child.
130	Chair VanLeeuwen	Closes public hearing and opens work session on HB 3728.
<b><u>HB 3728</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		

134	Rep. Kruse	<b>MOTION: Moves to ADOPT HB 3728-4 amendments dated 05/22/97.</b>
136	Chair VanLeeuwen	<b>Hearing no objections, declares the motion CARRIED.</b>
140	Rep. Schrader	<b>MOTION: Moves to rescind the subsequent referral to WAYS AND MEANS.</b>
145	Chair VanLeeuwen	<b>Hearing no objections, declares the motion CARRIED.</b>
160	Rep. Kruse	<b>MOTION: Moves HB 3728 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 6-0</b> <b>EXCUSED: 1 - Luke</b>
163	Chair VanLeeuwen	<b>Declares the motion CARRIED.</b>
175		<b>Closes work session on HB 3728. Opens work session on SB 643.</b>
<b><u>SB 643</u></b> <b><u>WORK</u></b> <b><u>SESSION</u></b>		
178	Chair VanLeeuwen	<b>Asks Rep. Jenson if he would like to vote on SB 643?</b>
183	Rep. Jenson	<b>Votes aye on SB 643.</b>
190	Chair VanLeeuwen	<b>Closes work session on SB 643. Adjourns committee at 3:00 pm.</b>

Submitted By, Reviewed By,

Berri Sellers, Janet Carlson,

Administrative Support Administrator

**EXHIBIT SUMMARY**

A - HB 3728, proposed amendments, staff, 3pp.

B - HB 3728, written testimony, Susan Cox, 3pp.

C- HB 3728, written testimony, Daniel and Roxanne Rueckert, 1pg.

D - HB 3728, written testimony, Sandy Temple, 2pp.

E - HB 3728, written testimony, Linda Vollman, 2pp.