

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE ON FAMILY LAW

February 18, 1997 Hearing Room 357

3:15 P.M. Tapes 19 - 20

MEMBERS PRESENT:

Rep. Ron Sunseri, Chair

Rep. George Eighmey, Vice-Chair

Rep. Roger Beyer

Rep. Peter Courtney

Rep. Charles Starr

Rep. Judy Uherbelau

VISITING MEMBER: Rep. John Minnis

STAFF PRESENT:

William E. Taylor, Counsel

Lauri A. Smith, Administrative Support

MEASURE/ISSUES HEARD:

Overviews on Child Abuse

1) Medical Identification of Abuse

2) Assessment Centers

3) Child Abuse Fatalities

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
Tape 19, A		
003	Chair Sunseri	Calls meeting to order at 3:27 P.M.

<u>OPENS HEARING ON CHILD ABUSE</u>		
004	Chair Sunseri	Opens hearing on Child Abuse.
006	Wendy Borg	<p>Child Interviewer at CARES NORTHWEST</p> <p>Three areas of testimony: 1) How CARES NORTHWEST and similar programs fit into the overall system of child protection, 2) What we do and why we are a helpful member to the system, and 3) Statewide expansion of the model.</p> <p>Presents written testimony. (EXHIBIT A)</p>
050	Borg	<p>Gives an example of a child sexual abuse case.</p> <p>>CARES NORTHWEST forwards recommendations to Services of Children & Families ("SCF")</p> <p>Video Presentations</p>
100	Borg	<p>Video Presentations continues.</p> <p>To summarize the video presentation: CARES NORTHWEST pulls together people from different agencies in a multi-disciplinary gathering with different responsibilities by providing 1) one comprehensive evaluation, 2) provide expert consultation, 3) a neutral environment, and 4) screening for the system.</p>
150	Borg	<p>>provide child interviews and medical evaluations</p> <p>Expert consultations like CARES NORTHWEST protect the rights of an accused person by interviewing the child in a non-leading fashion and is supportive to the child so real victims of abuse can talk about what has happened to them.</p> <p>We provide screening to the system and some opinion about whether there is good solid evidence backing the allegation, whether it's questionable, or whether it is not a valid allegation.</p> <p>>refers to (EXHIBIT A) - Why is a comprehensive assessment useful? area of statistics presented</p> <p>Gives an explanation of the subsequent video clip.</p>
200	Borg	<p>Video Presentation</p> <p>Provides a summary of this particular video clip's case handling by CARES NORTHWEST.</p>

232	Chair Sunseri	What happened to the child during the case evaluation?
234	Borg	<p>Uncertain, however, typically the child would be placed out of the home.</p> <p>Provides a summation of CARES NORTHWEST's statewide expansion of the model through: 1) CAMI funds and 2) Quality Management.</p> <p>>A House Bill is being introduced by Rep. Minnis that will expand funding for training for multi-disciplinary intervention, increase access, increase the level of statewide training and will set up four regional child abuse centers responsible for training.</p>
277	Rep. Uherbelau	CARES NORTHWEST does the comprehensive interviewing? Correct?
280	Borg	Yes.
284	Rep. Uherbelau	Is there pre-interviewing done by either the police or children's protective services? As you know sometimes there can be contamination through the way questions are asked. Does that occur in this statewide expansion model?
288	Borg	<p>As part of the initial response there is a pre-interview of the child and typically that interview is brief.</p> <p>Your concerns emphasize the importance of training throughout the system.</p>
295	Rep. Uherbelau	Do you video tape your interviews?
297	Borg	Yes.
299	Rep. Uherbelau	Can a private individual call you and request an interview by CARES NORTHWEST as a neutral party or is it always requested through the chain of agencies?
307	Borg	<p>We will interview and evaluate children at the request of an individual.</p> <p>However, we will also ask the families or person to contact SCF or a law enforcement agency to see if they do want to become involved.</p>
313	Rep. Uherbelau	<p>Request for evaluations are not becoming an uncommon occurrence in dissolution of marriages where there are allegations of child abuse.</p> <p>Do you see many of those types of cases?</p>
324	Borg	We see a fair number of cases involving divorce and custody issues.
328	Rep. Uherbelau	Where are other centers located?
332	Borg	Provides locations of other centers.

340	Susan Robinson	Coordinator at Kids Center, Bend Oregon Provides further locations.
350	Leila Keltner, MD	Physician & Acting Medical Director at CARES NORTHWEST Presents a Slide Show to committee.
400	Keltner	Continues Slide Show presentation.
450	Keltner	Continues Slide Show presentation.
Tape 20, A		
025	Keltner	Continues Slide Show presentation.
072	Rep. Uherbelau	I question why you place poverty and stress together as leading factors with victims of child abuse/violence? Stress alone can be a leading factor.
080	Keltner	Generally more poverty stricken children are abused as parents can not arrange for daycare in order to get time away from the children, for instance. By stress I mean medical stress (kids who have been hospitalized and who have not gone directly home are at a greater risk of abuse) and the stress associated with handicapped children.
088	Rep. Uherbelau	Comments further on poverty factors.
094	Keltner	Abuse goes through all classes of people and continues with an example. Slide show presentation resumed.
140	Keltner	Slide show presentation continues.
190	Keltner	Slide show presentation continues.
240	Keltner	Slide show presentation continues.
290	Keltner	Slide show presentation continues.
340	Keltner	Slide show presentation continues. Includes a demonstration of a "shaken" infant.
390	Keltner	Slide show presentation continues.
404	Rep. Uherbelau	Does CARES NORTHWEST do follow up visits on children returned to the home?
408	Keltner	Responds by giving an example. Unable to do long term care but most have private pediatricians who we know handling the follow up care.
420	Robinson	Provides a outline of presentation: 1) overview of what Kids Center offers, 2) medical assessment component, and 3) give details on how we coordinate our multi-disciplinary teams ("MDT") and what our role is in that area.

Tape 19, B		
035	Robinson	<ul style="list-style-type: none"> >stand alone structure, created without government funding , private nonprofit organization >provides summary of services offered >our medical component - tailored to rural setting >provide medical examinations through on site physician >have become somewhat of a regional center >hired a medical director which raises level of expertise >medical assessments done by referrals to the center
085	Robinson	<ul style="list-style-type: none"> >offer center for outside agencies for law enforcement & SCF officials >examples of MDT services >helps the abused when done in a coordinated effort >committed to being a training resource
135	Robinson	<ul style="list-style-type: none"> >recently sent members of MDT to San Diego for training and provides topics presented. >these cases should not be investigated in a vacuum for the best interests of the children but must be done through a team approach
154	Rep. Uherbelau	Is Deschutes County doing follow up and that all agencies are meeting the needs of the families? What experiences can you give us?
168	Robinson	A lot new. There has not been any specific research done. Collaboration efforts are high in Deschutes County.
180	Chair Sunseri	Regarding salaries, programs, examining rooms how are these funded?
183	Robinson	We are funded through CAMI funds, federal or private grants, private fund raising events, and donations.
186	Rep. Beyer	How is CARE NORTHWEST funded?
190	Borg	<p>Very similarly through a mixture of private donations. Also, the four counties in our area provides funding from their portions of the CAMI funds and hospitals.</p> <p>One of driving forces behind state wide quality management is to set up follow up procedures to ensure the needs of the abused are met and services are being used.</p>

200	Rep. Beyer	What is CAMI?
201	Borg	Child Multi-Abuse Intervention Account
203	Rep. Beyer	Does CAMI come from the State?
204	Borg	It came from the state legislature.
205	Robinson	It is assessment on individuals who have committed felonies, misdemeanors, and infractions.
210	Borg	We're a percentage of the unitary assessment fund.
220	Larry V. Lewman M.D.	State Medical Examiner Presents written testimony. (EXHIBIT B)
270	Lewman	Continues testimony.
320	Lewman	Continues testimony.
370	Lewman	Continues testimony.
430	Chair Sunseri	How many confirmed cases of fatalities by child abuse did we have in our state last year?
435	Lewman	I believe in the high 30s.
440	Chair Sunseri	How many do you suspect?
443	Lewman	Any child is suspect until ruled out as a child abuse case.
Tape 20, B		
030	Grant Higginson MD, MPH	State Health Officer, Oregon Health Division In 1995, it was 36 fatality cases related to child abuse and neglect. So far in the first six months of 1996, there are 15 confirmed child abuse cases and 11 suspected cases.
035	Rep. Uherbelau	What is the training now for residency pathologists in areas of determining child abuse?
040	Lewman	Varies by hospitals with regards to the amount of training resident pathologists receive.
045	Rep. Uherbelau	Do all SID deaths receive autopsies and investigations?
048	Lewman	Yes.
050	Rep. Uherbelau	Are any death certificates signed off by a treating pediatrician and, therefore, the medical examiner may never see for autopsies?
054	Lewman	Responds by stating that there are two types of death certificates and provides explanation of which would come to the attention of the medical examiners for autopsy under the law. Any death certificate signed by a private physician and shows any suggestion of abuse will be investigated. This number is very rare.
063	Rep. Minnis	You said in cases suspected of SIDs that there is ordinarily an

		autopsy.
064	Lewman	That is correct.
065	Rep. Minnis	The law doesn't mandate that an autopsy occur on SID deaths.
	Lewman	The law doesn't mandate it but it doesn't really need to. Some states do mandate autopsies on SID deaths.. In Oregon, autopsies will happen as matter of practice on SID deaths.
066	Rep. Minnis	Is that stated in an administrative rule anywhere?
067	Lewman	I believe so.
068	Rep. Minnis	I have introduced a related measure mandating that there would be an autopsy performed on all unexplained infant deaths. There is a need to develop career tracks for forensic pathology as there is a deficit of trained forensic pathologists. What training does a general pathologist receive dealing specifically with child abuse issues?
085	Lewman	The residents at the two major training programs rotate through the office. Otherwise, generally not a lot of time is focused in this area.
090	Rep. Uherbelau	Are autopsies occurring on all SID related deaths outside of the urban area?
092	Lewman	Yes, we have SID deaths in all corner of the state.
093	Rep. Uherbelau	Are all unexplained death situations coming for autopsies?
094	Lewman	Not all the SID cases or like cases are coming to Portland.
095	Rep. Uherbelau	Are autopsies being done on all SID cases or like cases?
097	Lewman	Yes and further provides an exception example.
104	Higginson	Responds by explaining that the diagnosis of SID is one of exclusion of factors. To make that diagnosis now there is an autopsy performed on the child plus an on site investigation.
110	Rep. Minnis	In respect to the death scene investigation, how is that accomplished? Is it after the fact or at the time of discovery of the child's death?
115	Lewman	Depends on how the death becomes known and provides examples.
118	Rep. Minnis	Is that investigation conducted by the medical examiner or who?
120	Lewman	It depends on the location and provides examples.
130	Rep. Minnis	You've been in the field 25 years.
131	Lewman	Yes, I been in the field about 26 years.
132	Minnis	Are there issues in child death autopsies that is different than one performed on an adult?
133	Lewman	Yes, there are different issues.
140	Higginson	Presents written testimony. (EXHIBIT C)

190	Higginson	Continues testimony.
240	Higginson	Continues testimony.
290	Higginson	Continues testimony.
309	Higginson	Continues testimony. (Refers to Table 2 of EXHIBIT C)
345	Higginson	Continues testimony. (Refers to Figure 1 of EXHIBIT C)
355	Rep. Uherbelau	Questions an item on Table 2.
361	Higginson	Responds and continues testimony.
397	Rep. Uherbelau	Comments on the change in positioning the child when sleeping to perhaps prevent a situation of a SID's death.
404	Higginson	Responds that now it is a matter of educating the public at large due to recent medical opinions.
419	Chair Sunseri	Closes the hearing on child abuse. Adjourns at 5:15 P.M.

Submitted by, Reviewed by,

Lauri A. Smith, Sarah Watson,

Administrative Support Office Manager

EXHIBIT SUMMARY

A - Child Abuse Hearing, informational material, Wendy Borg, 3 pages.

B - Child Abuse Hearing, written testimony, Larry V. Lewman, MD, 1 page.

C - Child Abuse Hearing, written testimony, Grant Higginson, MD, MPH, 11 pages.

D - Video recording of hearing.