

# House Bill 2779

Sponsored by Representatives NOBLE, SANCHEZ, LEIF; Senator BOQUIST (at the request of Brittany Ruiz)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits Department of Human Services from disclosing records and reports related to child abuse investigations to certain entities unless court finds report of abuse is founded. Requires department to record any questioning of parent or child regarding suspected child abuse and to make recording available to parent or child.

Directs law enforcement agency to provide copy of finalized report of suspected child abuse to person making report and alleged victim of abuse no more than seven days after report is finalized.

Requires hospital or other entity conducting interviews regarding suspected child abuse to provide copy of interview report to person being interviewed no later than seven business days after report is finalized.

Prohibits department from administering medication, haircut, vaccination or, if child is under 14 years of age, abortion or birth control to child in protective custody without consent of custodial parent or legal guardian or, if custodial parent or legal guardian is unavailable, juvenile court.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to parental rights; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

### **SECTION 1. (1) When investigating reports of suspected child abuse:**

#### **(a) The Department of Human Services:**

**(A) May not make reports and records available under ORS 419B.035 (1)(e), (f), (h) or (j), unless a court finds that the report of abuse is founded.**

**(B) Shall record any questioning by the department of a parent or child in the course of the department's investigation and make the recording available to the parent, child or attorneys for the parent or child.**

**(b) Any law enforcement agency that receives a report of suspected child abuse shall provide a copy of the report to the person making the report and the alleged victim of abuse no more than five business days after the report is finalized.**

**(c) Any hospital or other entity that conducts an interview with a person suspected of child abuse or with a suspected victim of child abuse shall record the interview and provide the person being interviewed or the person's attorney with a copy of the final interview report no later than seven business days after the interview report is finalized.**

**(2) The department shall adopt such rules as are reasonably necessary for the enforcement of this section.**

**SECTION 2. (1) If the Department of Human Services takes a child into protective custody, the department shall obtain the custodial parent's or legal guardian's consent prior to administering any of the following to the child:**

**(a) Medication;**

**(b) A haircut;**

**(c) A vaccination; or**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1       **(d) If the child is under 14 years of age, an abortion or birth control.**  
2       **(2) If the department, after reasonable efforts, is unable to contact the custodial parent**  
3 **or legal guardian to request consent under subsection (1) of this section, the department**  
4 **may administer any of the services with the consent of the juvenile court.**  
5       **(3) The department shall adopt such rules as are reasonably necessary for the enforce-**  
6 **ment of this section.**  
7       **(4) As used in this section, “parent” does not include a parent whose parental rights have**  
8 **been terminated by a court of competent jurisdiction.**  
9       **SECTION 3.** **This 2019 Act takes effect on the 91st day after the date on which the 2019**  
10 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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