



Statutory Work Group meeting minutes

August 28, 2017 at 9:00 pm

Members & Public Present:		
Rep. John Lively (Chairperson)	Dawn Woods. (OCC director)	Ella Rauch. (DOJ AAG)
Rep. Carla Piluso	Lisa Pinheiro. (OCC)	Jeff B (DHS)
Sen Gelser's staff	Richard Riggs. (OCC)	Lisa Gezelter – LPRO
Rep. Keny-Guyer staff	Kristyn Kiefer. (OCC)	Public:
Bobbie Weber. (ELC member)	Annalise Sheahan. (AFSCME)	Joe Douglass (KATU)
David Mandell. (ELD)	Kevin F. (Children First)	Autumn D. (AFSCME)
Dawn Meyers (DHS)	Jen Irving (DHS)	Brad Schmidt. (Oregonian)
Invited but could not attend		
Sen. Sara Gelser	Rep. Alissa Keny-Guyer	James Barta (Children First)
Lindsey Capps (Chief Ed. Officer)	Miriam Calderon (ELD Director)	Dawn Meyers (DHS)
Belit Burke (DHS)		

Rep Lively called meeting to order at 0900; Quorum present

- All persons present introduced themselves
- Meeting minutes from 6/29/17 reviewed and approved (no changes noted)
- Agenda approved / no additions or changes

Ella Rauch (DOJ AAG):

- Provided overview of administrative procedures act (APA)
- Discussed contested case hearings and burden of proof

Dawn Woods (OCC Director):

- Discussed audit report / follow-up report findings
- Discussed internal quality improvement efforts



Richard Riggs (OCC Legal Administrator)

- Explained simplified flow chart of how Office of Child Care (OCC) works with DHS/CPS
- Explained flow chart of Central Background Registry (CBR) process
- Discussed civil penalties / potential changes to include
 - Discussed purpose of penalties
 - Move penalties from statute (ORS 329A) to agency rules
 - Legislature to cap penalty amounts in statute
 - Suspend facilities/providers who do not pay penalties (AFSCME proposal)
 - **Workgroup unanimously agreed to bring forward in 2018 session**
- Discussed cease and desist orders
 - *Committee agreed to bring forward in 2018 session*
- Provided examples of statutory definitions that need update, including but not limited to:
 - School age children
 - Licensed exempt facilities
 - **Workgroup unanimously agreed to bring forward in 2018 session**
- Discussed continuing jurisdiction
 - *Committee agreed to bring forward in 2018 session*
- Discussed child care categories (licensed exempt and recorded)
 - **Workgroup unanimously agreed to table further discussion for 2019 session**
- Discussed average hourly wage of child care providers
- Discussed adding additional complaint categories (Dept. of Education auditor recommendation)
 - **Workgroup unanimously agreed to table further discussion for 2019 session / pending DOJ recommendations**
- Discussed lowering burden of proof (Dept. of Education auditor recommendation)
 - **Workgroup unanimously agreed the recommendation is not feasible and would violate current existing constitutional protections. No further discussion necessary**

Lisa Pinheiro (OCC Legislative and policy analyst)

- **Discussed work plan and timeline for 2018 session**
 - Legislative days Sept 18
 - Miriam and Dawn to present / Rich to support as needed
- **Lisa to find time for next meeting**

Adjourned