

ORS 418.746¹ Child Abuse Multidisciplinary Intervention Account

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- rules

(1) The Child Abuse Multidisciplinary Intervention Account is established separate and distinct from the General Fund. Interest earned, if any, shall inure to the benefit of the account. All moneys deposited in the account are continuously appropriated to the Department of Justice for the purposes of ORS 418.751 (Training and education for persons investigating child abuse) and this section.

(2) The Child Abuse Multidisciplinary Intervention Program, with the advice of the Advisory Council on Child Abuse Assessment, created by ORS 418.784 (Advisory Council on Child Abuse Assessment), shall allocate moneys from the Child Abuse Multidisciplinary Intervention Account to eligible county multidisciplinary child abuse teams formed under ORS 418.747 (County teams for investigation), or entities designated by the teams, serving the counties from which the moneys were collected. The program may award only one grant per county. The moneys shall be allocated by the same formula as, or a formula similar to, the formula used by the Attorney General for equitable distribution of the fund for victims assistance programs under ORS 147.227 (Disbursement of moneys to be used for victims assistance programs) (1). Moneys allocated under this subsection may not be used as replacement revenues for currently available funds previously allocated by the county for child abuse intervention.

(3) The Child Abuse Multidisciplinary Intervention Program shall determine eligibility of the applicants and:

- (a) Allocate funds if the applicant is deemed eligible;
- (b) Conditionally allocate funds, with appropriate conditions, when necessary to establish eligibility; or
- (c) Deny funding.

(4) In making the eligibility determination, the Child Abuse Multidisciplinary Intervention Program shall consider the following nonexclusive list of factors:

- (a) Whether the services offered by an applicant substantially further the goals and purposes of ORS 418.747 (County teams for investigation), 418.790 (Application contents for regional centers) and 418.792 (Application contents for community assessment center);
- (b) Whether the county multidisciplinary child abuse team or the entity designated by the team has properly allocated other available funds;
- (c) Any evaluations of previously funded services as required by subsection (7) of this section;
- (d) The extent to which the county's coordinated child abuse multidisciplinary intervention plan provides for comprehensive services to the victims of child abuse;
- (e) Whether the funds are being used as replacement revenues as prohibited by subsection (2) of this section;

- (f) Whether there is a community assessment center or advocacy center in existence or planned in the county; and
- (g) The extent to which funding a community assessment center is given priority in the intervention plan as required under subsection (5) of this section.

(5)(a) At least once a biennium, the county multidisciplinary child abuse team shall submit to the Child Abuse Multidisciplinary Intervention Program a coordinated child abuse multidisciplinary intervention plan. The intervention plan must:

- (A) Describe all sources of funding, other than moneys that may be allocated from the Child Abuse Multidisciplinary Intervention Account, including in-kind contributions that are available for the intervention plan;
- (B) Describe the critical needs of victims of child abuse in the county, including but not limited to assessment, advocacy and treatment, and how the intervention plan addresses those needs in a comprehensive manner;
- (C) Include the countys written protocol and agreements required by ORS 418.747 (County teams for investigation) (2) and 418.785 (Child Fatality Review Teams); and
- (D) Describe how the intervention plan gives priority to funding a community assessment center and how the funding supports the center.

(b) When submitting the intervention plan, the county multidisciplinary child abuse team shall also submit:

- (A) Those applications for funding received from entities under subsection (6) of this section that the team determines best meet the needs of the countys intervention plan and a recommendation that the applications for funding be granted; and
- (B) If the team is seeking funding from the Child Abuse Multidisciplinary Intervention Program, an application setting forth the information required by rule of the program.

(6) An entity wishing to apply for funding from the Child Abuse Multidisciplinary Intervention Program shall submit an application to the county multidisciplinary child abuse team for the county in which the entity proposes to provide services. The application shall:

- (a) Describe the services to be funded with moneys from the Child Abuse Multidisciplinary Intervention Program according to the coordinated child abuse multidisciplinary intervention plan and the anticipated outcomes in terms of benefits to children and families; and
- (b) Describe how the services further the goals and purposes of ORS 418.747 (County teams for investigation), 418.790 (Application contents for regional centers) and 418.792 (Application contents for community assessment center).

(7)(a) A designated entity providing services according to a coordinated child abuse multidisciplinary intervention plan funded with moneys from the Child Abuse Multidisciplinary Intervention Program shall submit an annual report to the county multidisciplinary child abuse team. A multidisciplinary child abuse team shall submit an annual report to the Child Abuse Multidisciplinary Intervention Program.

(b) The annual report filed by the county multidisciplinary child abuse team must:

- (A) Document how the moneys were utilized and describe to what extent the services were able to meet anticipated outcomes in terms of benefits to children and families.

(B) Include local and state issues and recommendations relating to the prevention of child fatalities identified in the fatality review process under ORS 418.785 (Child Fatality Review Teams).

(c) A county multidisciplinary child abuse team receiving a report from a designated entity shall review the report and take into account success of the entity at meeting service outcomes before making future recommendations regarding allocation of moneys.

(d) The Child Abuse Multidisciplinary Intervention Program shall review reports received under this section before making future eligibility and allocation decisions and when evaluating services funded under this section.

(8) Two or more county multidisciplinary child abuse teams may join together to develop joint child abuse multidisciplinary intervention plans. The joint intervention plans shall be submitted as provided in subsection (5) of this section.

(9) The Child Abuse Multidisciplinary Intervention Program may adopt rules to carry out the provisions of ORS 418.751 (Training and education for persons investigating child abuse) and this section including, but not limited to, the following:

(a) Notices and time limits for applications;

(b) Method of review and the role of advisory bodies; and

(c) Reallocation of moneys not applied for or disbursed. [1993 c.637 §§3,7; 1997 c.872 §31; 2001 c.624 §4; 2001 c.829 §8; 2003 c.354 §1; 2005 c.562 §5]

Note: 418.746 (Child Abuse Multidisciplinary Intervention Account) to 418.796 (Authority of council to solicit and accept contributions) were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 418 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Annotations

§§ 418.740 to 418.770

Atty. Gen. Opinions

Inspection of child abuse records by Governor and Attorney General, (1979) Vol 40, p 96

Law Review Citations

25 WLR 230 (1989)

Chapter 418

Notes of Decisions

Where plaintiffs brought ac-tion under 42 U.S.C. 1983 alleging viola-tion of federal civil rights after defendant Childrens Services Division employees removed plaintiffs child from home following reports of abuse, CSD workers entitled to absolute immunity in investiga-tion, taking child into custody and keeping plaintiffs from visiting child. Tennyson v. Childrens Services Division, 308 Or 80, 775 P2d 1365 (1989)

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