

## SENATE AMENDMENTS TO SENATE BILL 870

By COMMITTEE ON HUMAN SERVICES

April 26

- 1 On page 1 of the printed bill, delete lines 18 through 30 and delete pages 2 and 3 and insert:
- 2 **“SECTION 1.** ORS 410.410 is amended to read:
- 3 **“410.410.** As used in ORS 410.410 to 410.480:
- 4 **“(1) ‘Activities of daily living’ has the meaning given that term in ORS 410.600.**
- 5 **“[(1)] (2) ‘Authorized agency’** means any organization designated by the Department of Human  
6 Services as an area agency on aging.
- 7 **“[(2)] (3) ‘Authorized service’** means any service designated by the department pursuant to rule  
8 to be eligible for Oregon Project Independence funding.
- 9 **“(4) ‘Crisis services’ means services, supports or equipment necessary to maintain a cli-**  
10 **ent in the client’s home that:**
- 11 **“(a) Addresses the specific issues leading to or contributing to a crisis situation; and**  
12 **“(b) Is provided for a limited period of time.**
- 13 **“[(3) ‘Department’ means the Department of Human Services.]**
- 14 **“[(4)] (5) ‘Home health service’** means items and services furnished to an individual by a home  
15 health agency, or by others under arrangement with such agency, on a visiting basis in a place of  
16 temporary or permanent residence used as the individual’s home for the purpose of maintaining that  
17 individual at home.
- 18 **“(6) ‘Person with disabilities’ means a person with a physical or mental disability who**  
19 **needs assistance with activities of daily living.**
- 20 **“[(5)] (7) ‘Service provider’** means any agency or program that provides one or more authorized  
21 services under Oregon Project Independence.
- 22 **“(8) ‘Special need allowance’ means:**
- 23 **“(a) A one-time payment for an item, repair or service that is necessary to sustain the**  
24 **client’s independence and stability; or**
- 25 **“(b) Ongoing payments for an item, repair or service that is necessary to enhance a cli-**  
26 **ent’s ability to meet an unmet maintenance need.**
- 27 **“SECTION 2.** Section 3 of this 2005 Act is added to and made a part of ORS 410.410 to  
28 **410.480.**
- 29 **“SECTION 3. (1) Oregon Project Independence is established in the Department of Human**  
30 **Services. The purpose of the program is to:**
- 31 **“(a) Provide help to eligible clients in their homes when the clients are no longer able to**  
32 **take care of their daily needs without assistance;**
- 33 **“(b) Provide to the public information and education on long term care planning and re-**  
34 **sources, including the establishment and maintenance of a website; and**
- 35 **“(c) Offer long term care case management and case planning services for a fee to per-**

1 sons who are not otherwise eligible for services from an authorized agency or the depart-  
2 ment.

3 **“(2) If the department is not able to contract with an authorized agency to provide au-  
4 thorized services to an eligible client who is a person with disabilities, the department may  
5 contract with another organization to provide the services.**

6 **“SECTION 4.** ORS 410.420 is amended to read:

7 **“410.420. (1) Funds appropriated for Oregon Project Independence [shall only be] may be ex-  
8 pended only for the following authorized services:**

9 **“(a) Homemaker;**

10 **“(b) Housekeeper;**

11 **“(c) Chore;**

12 **“(d) Escort;**

13 **“(e) Home health;**

14 **“(f) Personal care service;**

15 **“(g) Elderly day care; [and]**

16 **“(h) Crisis services;**

17 **“(i) Respite services;**

18 **“(j) Special need allowances;**

19 **“(k) Education on long term care planning and resources;**

20 **“(L) Long term care case management and case planning;**

21 **“(m) Information and assistance; and**

22 **“[(h)] (n) Other services authorized by the Department of Human Services.**

23 **“(2) The department shall adopt rules to implement ORS 410.410 to 410.480.**

24 **“SECTION 5.** ORS 410.430 is amended to read:

25 **“410.430. (1) In order to qualify for services from an authorized agency or service provider, each  
26 client or recipient must:**

27 **“(a) Be 60 years old or older, be a person with disabilities or have been diagnosed as having  
28 Alzheimer’s disease or a related disorder;**

29 **“(b) Not be receiving financial assistance from the Department of Human Services, except food  
30 stamp benefits and limited medicare reimbursement benefits administered by the department; and**

31 **“(c) Be assessed to be at the risk of entering an institution.**

32 **“(2) Eligibility determination shall be required before any client may receive services from an  
33 authorized agency or service provider.**

34 **“SECTION 6. In addition to and not in lieu of any other appropriation, there is appro-  
35 priated to the Department of Human Services, for the biennium beginning July 1, 2005, out  
36 of the General Fund, the amount of \$\_\_\_\_\_, which may be expended for the purposes of  
37 ORS 410.410 to 410.480.**

38 **“SECTION 7. ORS 410.425 is repealed.**

39 **“SECTION 8. This 2005 Act being necessary for the immediate preservation of the public  
40 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect  
41 July 1, 2005.”.**