
2017 SUMMARY OF LEGISLATION



HUMAN SERVICES



HUMAN SERVICES MEASURES

Abuse and Investigations

Enacted: SB 95, SB 101, SB 243, SB 244,
SB 268, SB 819, SB 942, SB 948,
HB 2930

Not Enacted: HB 2221-A

Behavioral and Mental Health

Enacted: SB 48, SB 231, SB 860, SB 944,
HB 3063

Not Enacted: SB 833-A

Child Care

Enacted: SB 245, HB 2903, HB 3067

Not Enacted: HB 2985-A

Deaf, Deaf-Blind, and Hard of Hearing

Enacted: HB 3160, HB 3253

Not Enacted: SB 841, SB 1018-A, SB 1023-A

Foster Children

Enacted: SB 830, HB 2216

Not Enacted:

General Human Services

Enacted: SB 17, SB 140, SB 241,
SB 275, HB 3370, HB 3405

Not Enacted: SB 238, SB 242, SB 1029,
HB 2170-A, HB 2347-A,
HB 2534-A

Intellectual and Developmental Disabilities

Enacted: SB 263, SB 834

Not Enacted: HB 2685

Long-term Care

Enacted: SB 58, SB 59, HB 2661,
HB 3359

Not Enacted: SB 239-A

Picture: Vineyard, Yamhill County - [Gary Halvorson](#), [Oregon State Archives](#)

HUMAN SERVICES

TASK FORCES AND REPORTING REQUIREMENTS

The following bills created task forces and reporting requirements. Additional information is provided in the bill summaries.

SB 48	Requires the Oregon Health Authority to report on initiatives led by professional regulatory boards to promote awareness about suicide risk assessment, treatment, and management.	August 1, biennially, starting 2019
SB 860	Requires the Department of Consumer and Business Services to report on reimbursement parity between behavioral health providers and medical providers with prescribing privileges.	September 1, 2019
HB 2903	Requires the Department of Human Services to report on child welfare on the establishment of a “deemed status” determination among child-caring agencies.	September 15, 2018
HB 3067	Requires Marion and Polk Counties to report on the progress of CourtCare Pilot Programs.	September 15, 2019
HB 3253	Requires the Commission for the Blind to report on the performance of the commission’s business enterprise program.	January 15, annually, starting 2018

[Senate Bill 17](#)

Effective Date: June 6, 2017

Designation of Chief Medical Officer

At the request of: Governor Brown for Department of Corrections

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: The Department of Corrections' Health Services Director has designated chief medical officers in certain state institutions in recent years, despite Oregon law requiring chief medical officers to be designated by the superintendent of their facilities.

Bill Summary: Senate Bill 17 removes the requirement that superintendents of certain state institutions designate a chief medical officer for their facilities, permitting the Health Services Director of the Department of Corrections to continue designation of chief medical officers.

Oregon Laws 2017: Chapter 223

[Senate Bill 48](#)

Effective Date: June 29, 2017

Suicide Risk Assessment Continuing Education

At the request of: Governor Brown for Oregon Health Authority

Committees: Senate Human Services, House Health Care

Background and Current Law: According to the Oregon Health Authority, suicide is the second-leading cause of death for Oregonians under the age of 35. Although people at risk of suicide often encounter medical and non medical professionals, there is no periodic continuing education requirement for those professionals on suicide prevention, nor is there a way to ensure their training in suicide prevention is up to date.

Bill Summary: Senate Bill 48 directs the state licensing boards responsible for certain medical and non medical professions, in conjunction with the Oregon Health Authority, to adopt rules regarding the reporting and completion of continuing education relating to suicide risk assessment, treatment, and management upon reauthorization to practice. The bill requires the Oregon Health Authority to develop a list of continuing education opportunities related to these subjects and requires the boards to report to the Oregon Health Authority and the Legislative Assembly on even-numbered years.

Oregon Laws 2017: Chapter 511

[Senate Bill 58](#)

Effective Date: June, 22, 2017

Establishment of Residential Facilities Ombudsman

At the request of: Governor Brown for Oregon Long-Term Care Ombudsman

Committees: Senate Human Services, Senate Rules, House Human Services and Housing

Background and Current Law: Current Oregon law establishes the Office of the Long-Term Care Ombudsman (LTCO) as an independent advocate for individuals who reside in long-term care facilities. The LTCO is tasked with investigating and resolving complaints against residential facilities, and providing other services to long-term care residents. The Residential Facilities Advisory Committee nominates candidates to serve as LTCO, consults on rules adopted by the LTCO, monitors LTCO programs, and advises the Governor and the legislature.

Bill Summary: Senate Bill 58 requires the LTCO to appoint a Residential Facilities Ombudsman (RFO) and prescribes the powers and duties of the RFO. The measure requires the LTCO and RFO to enter into an agreement to protect the confidentiality of records and requires the Oregon Health Authority (OHA) and Oregon Department of Human Services (DHS) to provide the RFO with specified monthly data. The measure grants civil and criminal immunity to individuals who make complaints or participate in investigations in good faith. The measure permits the LTCO access to a resident's records if the LTCO has reasonable cause to believe that a resident's legal representative is not acting in the resident's best interest and permits RFO to access records of a resident who is unable to provide consent and does not have legal representation.

Oregon Laws 2017: Chapter 441

[Senate Bill 59](#)

Effective Date: August 2, 2017

Protective Order Petitions by Long-Term Care Ombudsman

At the request of: Governor Brown for Oregon Long-Term Care Ombudsman

Committees: Senate Human Services, Senate Judiciary, House Human Services and Housing

Background and Current Law: Oregon law does not currently provide a mechanism for the Long-Term Care Ombudsman (LTCO) to petition a court for protective orders on behalf of a resident of a long-term care facility, residential facility, or adult foster home, and concerns about confidentiality inhibit the LTCO from filing petitions without explicit authorization. The current practice of the LTCO is to request protective orders through the Department of Human Services under its authority in statute (ORS 125.012). This authority only extends to abuse cases and not cases where other individual rights are concerned.

Bill Summary: Senate Bill 59 authorizes the LTCO to appear in an existing protective proceeding and file motions to remove a fiduciary, modify powers of a fiduciary, or terminate a protective proceeding. It limits the information that the LTCO may disclose to a court about a resident of a long-term care facility, residential facility, or adult foster home. The measure makes certain visitor reports and information disclosed by the LTCO confidential in a court file absent good cause.

Oregon Laws 2017: Chapter 633

[Senate Bill 95](#)

Effective Date: January 1, 2018

Securities Professionals as Mandatory Reporters

At the request of: Governor Brown for Department of Consumer and Business Services

Committees: Senate Human Services, Senate Judiciary, House Judiciary

Background and Current Law: Oregon law makes several categories of professionals “mandatory reporters” of suspected abuse of elderly or disabled persons, including suspected financial exploitation. Mandatory reporters include state agency employees, attorneys, medical professionals, behavioral health professionals, and emergency services professionals. In 2013, at least 60 percent of reports of financial exploitation were made by non mandatory reporters, with securities professionals as the second-most common type of reporter.

Bill Summary: Senate Bill 95 makes certain securities professionals mandatory reporters who must report suspected financial exploitation to the Department of Consumer and Business Services (DCBS), which forwards the information to the Oregon Department of Human Services (DHS) and law enforcement. The measure permits securities professionals to delay disbursement from an account, and provide notice to parties other than the person suspected of exploitation, upon reasonable belief that the disbursement might result in financial exploitation. The measure requires securities professionals to provide certain records to DCBS, DHS, or law enforcement upon request; exempts records from public disclosure; and punishes violation of the measure with a civil penalty up to \$1,000.

Oregon Laws 2017: Chapter 514

[Senate Bill 101](#)

Effective Date: June 29, 2017

Confidentiality in Child Abuse Investigations at Schools

At the request of: Governor Brown for Department of Human Services

Committees: Senate Human Services, Senate Judiciary, House Human Services and Housing

Background and Current Law: In 2016, the Oregon Department of Human Services (DHS) reported they had received 20 percent of their child abuse reports from schools. School administrators are required to be notified after receiving such a report.

Bill Summary: Senate Bill 101 provides that DHS and law enforcement are not required to reveal information pertaining to a child abuse investigation to the school as a condition of conducting an investigation, and prohibits school personnel from notifying parties beyond law enforcement and DHS of the investigation or disclosing information. The measure specifies that the school district and school personnel may not be held liable for civil damages resulting from compliance with these notification and disclosure provisions. It specifies that these provisions apply to investigations involving the interview of a suspected victim and not to investigations of a person who is suspected of committing the abuse. SB 101 also applies to private schools.

Oregon Laws 2017: Chapter 515

[Senate Bill 140](#)

Effective Date: August 15, 2017

Gang Intervention Services Funding

Chief Sponsors: Sen. Monnes Anderson; Reps. Piluso, Gorsek

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: The East Metro Gang Enforcement Team is an interagency team focused on combating gang activity in east Multnomah County and includes members from the Fairview, Gresham, and Troutdale city police departments as well as the Multnomah County Sheriff's Office.

Bill Summary: Senate Bill 140 appropriates funds for the East Metro Gang Enforcement Team and allows the funds to be spent on other gang intervention services in east Multnomah County.

Oregon Laws 2017: Chapter 730

[Senate Bill 231](#)

Effective Date: October 6, 2017

Task Force on Student Mental Health Support

Chief Sponsors: Sen. Gelser; Rep. Evans

Committees: Senate Human Services, Senate General Government and Accountability, Joint Ways and Means

Background and Current Law: In recent years, the American Psychological Association has reported an increase in the number of severe psychological problems addressed at college counseling centers.

Bill Summary: Senate Bill 231 establishes the Task Force on Student Mental Health Support, staffed by the Higher Education Coordinating Commission, to investigate how mental health issues and substance abuse disorders affect college students. The task force is required to report to the legislature by July 1, 2018 and sunsets on December 31, 2018.

Oregon Laws 2017: Chapter 643

[Senate Bill 238](#)

Not Enacted

Direct Support Professionals Payment and Training**At the request of:** Senate Interim Committee on Human Services and Early Childhood**Committees:** Senate Human Services

Background and Current Law: Direct support professionals assist people with disabilities to achieve greater independence and integration into their local communities. The Center for Medicare and Medicaid Services reports that there are challenges with recruitment and retention of direct care professionals due to low wages and benefits, unclear roles, undefined career paths, and insufficient training.

Bill Summary: Senate Bill 238 would have required the Oregon Department of Human Services to pay contracting agencies enough to allow those agencies to pay their direct support professionals at least 150 percent of the state minimum wage, and required that online training in conformity with the National Alliance for Direct Support Professionals be made available to direct support professionals.

[Senate Bill 239-A](#)

Not Enacted

Consent Requirements in Long-Term Care Facilities**At the request of:** Senate Interim Committee on Human Services and Early Childhood**Committees:** Senate Human Services, Senate Judiciary

Background and Current Law: Oregon law does not provide a mechanism for residential care facilities and adult foster homes to impose limitations on certain rights of residents without the resident's consent, even if a resident is determined to be incapable of providing or withholding consent, and regardless of whether a limitation is in the resident's best interest.

Bill Summary: Senate Bill 239-A would have established a process for residential care facilities and adult foster homes to obtain decisions regarding consent to individually based limits on certain rights on behalf of residents determined to be incapable of consent. It required a facility to seek the decision from responsible persons and family members in a specified order, or by a committee in the absence of such persons. If a decision was not obtained in a timely manner to protect the safety of the resident or other persons, the facility may have imposed an emergency limitation for up to 10 days, or up to 30 days with the permission of the Long-Term Care Ombudsman or the resident's Medicaid case manager. The bill would have provided for review of these decisions and required notice of the contested case process be provided to residents and their representatives in order to appeal. The bill prohibited limitations on nutrition, hydration, and eating assistance to avoid impairment of major bodily functions; provided immunity from civil and criminal liability for decision-makers and facilities complying in good faith; and required facilities to notify the Long-Term Care Ombudsman and the resident's Medicaid case manager when an individually based limitation was imposed.

[Senate Bill 241](#)

Effective Date: January 1, 2018

Bill of Rights for Children of Incarcerated Parents

At the request of: Senate Interim Committee on Human Services and Early Childhood

Committees: Senate Human Services, Senate General Government and Accountability, House Judiciary

Background and Current Law: Nationally, between 1991 and mid-year 2007, there was an increase of 79 percent in the number of incarcerated people with children. In Oregon, there are around 70,000 children who have had or currently have an incarcerated parent. Children with an incarcerated parent can experience a variety of stresses and detrimental effects, including those that result from added financial burdens on families, mental and physical health issues, and difficulties that arise when a parent is reintegrating back into a family and society.

Bill Summary: Senate Bill 241 establishes certain essential rights for children of incarcerated parents as a “bill of rights of children of incarcerated parents.” It includes rights related to maintaining relationships between parents and children, informing and caring for children during a parent’s incarceration, consideration of a child’s wishes in decision-making processes, and maintaining a relationship and contact with incarcerated parents. The Oregon Department of Corrections is responsible for working with an existing public body in developing guidelines based on this bill of rights.

Oregon Laws 2017: Chapter 447

[Senate Bill 242](#)

Not Enacted

Family Preservation Project Funding

At the Request of: Senate Interim Committee on Human Services and Early Childhood

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: The Family Preservation Project is a program administered by the YWCA of Greater Portland that provides family-centered services for inmates and children of inmates at the Coffee Creek Correctional Facility in Wilsonville. The program helps inmates maintain connections with their families and prepare for reintegration with society upon release. The YWCA of Greater Portland took over administration of the Family Preservation Project from the Oregon Department of Corrections through legislation passed in 2015.

Bill Summary: Senate Bill 242 would have appropriated an unspecified amount of money from the General Fund to the Oregon Department of Administrative Services for the biennium beginning July 1, 2017 for the YWCA of Greater Portland and permitted the funds to be spent on the Family Preservation Project.

Definition of Child in Care for Abuse Reporting and Notification

At the request of: Senate Interim Committee on Human Services and Early Childhood

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: Oregon statutes contain provisions concerning the welfare of “children in care.” Among other things, these statutes require Oregon Department of Human Services (DHS) investigations of suspected abuse of children in care at child-caring agencies and investigation notification procedures.

Bill Summary: Senate Bill 243 includes children at a certified foster home or developmental disabilities residential facility as “children in care” for the purposes of these statutes. It excludes from these provisions children at one of these facilities, a child-caring agency, or proctor home if the care is provided in the child’s home by a parent. The measure requires that DHS notify a local citizen advisory board of a substantiated abuse report, in addition to those who already receive this notice. SB 243 relieves child-caring agencies without staff or volunteers from meeting certain protocol and training requirements related to abuse reporting. It excludes age-appropriate discipline from the definition of “involuntary seclusion.”

Oregon Laws 2017: Chapter 733

[Senate Bill 244](#)

Effective Date: June 22, 2017

Notification Requirements in Child Abuse Allegations

At the request of: Senate Interim Committee on Human Services and Early Childhood

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: Oregon law requires the Department of Human Services (DHS) to investigate child-caring agencies when DHS becomes aware of any suspected or founded abuses, deficiencies, violations, or failures to comply with licensing criteria. DHS is required to notify relevant state agencies or governing boards responsible for the child-caring agency, other government agencies that have contracts with the child-caring agency, or individuals involved in the child care's case about the suspected or founded abuses or violations. If the alleged abuses or violations are founded, DHS may suspend the child-caring agency's license and impose corrective measures for the child-caring agency to implement. Additionally, DHS is required to update individuals regarding the founded abuse or violations.

Bill Summary: Senate Bill 244 clarifies DHS notification requirements regarding abuse allegations. The measure requires DHS to inform the Oregon Youth Authority, county juvenile departments, and the developmental disabilities office of alleged abuse if the child-caring agency serves children committed to the care of those state agencies. The measure also expands notification requirements to include notice to relevant DHS employees of alleged abuse violation and clarifies what actions DHS can take if an investigation reveals deficiencies affecting child health, safety, or welfare. Additionally, DHS is required to notify certain individuals involved with the child who is the subject of the abuse investigation if the allegations are substantiated.

Oregon Laws 2017: Chapter 448

[Senate Bill 245](#)

Effective Date: June 6, 2017

Definitions of Child and Child-Caring Agency

At the request of: Senate Interim Committee on Human Services and Early Childhood

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: For child-caring agencies, current Oregon law defines "child" as an unmarried person under 21 years of age. Additionally, the current definition of a "child-caring agency" excludes licensed residential facilities and certified foster homes serving developmentally disabled children, respite services, youth job development organizations, certain shelter-care homes, and other foster homes.

Bill Summary: Senate Bill 245 amends the definition of "child" to apply only to persons under age 21 who receive care or services from child-caring agencies. The bill modifies the definition of "child-caring agency" to exclude facilities that serve only people over the age of 18 and facilities serving children accompanied by a custodial parent or guardian.

Oregon Laws 2017: Chapter 244

[Senate Bill 263](#)

Effective Date: July 1, 2017

Student Placement in Abbreviated School Day Programs

Chief Sponsors: Sen. Gelser

Committees: Senate Human Services, House Education

Background and Current Law: Disability rights advocates have expressed concerns about decreasing instructional time for students on Individualized Education Programs (IEPs), which are documents that describe children’s learning needs and the services public schools will provide. Districts are required to ensure that at least 92 percent of all students in the district, including students with disabilities, receive the following number of hours in instructional time: grade 12 requires 966 hours, grades 9 through 11 require 990 hours, and grades kindergarten through 8 require 900 hours. The Oregon Department of Education recommends that a district’s decision to decrease instructional time for a student on an IEP be reserved for students with the most severe behaviors; this assumes that restrictive alternative placements have already failed.

Bill Summary: Senate Bill 263 permits placement of a student into an abbreviated school day program only if the student’s IEP team makes the determination based on the student’s needs, provides parents with a meaningful opportunity to participate in the decision, and documents consideration of at least one school-day-length alternative. The measure requires school districts to take the following action when deciding to abbreviate a student’s school days: (1) provide notice to parents regarding the district’s legal requirements for abbreviated school-day programs; (2) obtain a signed acknowledgment from parents each term; and (3) include a statement in the student’s IEP regarding the reasons for placement in an abbreviated school-day program.

Oregon Laws 2017: Chapter 322

[Senate Bill 268](#)

Effective Date: January 1, 2018

Record Sharing in Child Abuse Investigations

Chief Sponsors: Sen. Gelser

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: Oregon law provides the Department of Human Services with broad authority to investigate alleged child abuse, and requires many corresponding records be kept confidential unless specifically exempted. Child abuse investigations in schools, especially for children with disabilities, can present unique issues for investigators.

Bill Summary: Senate Bill 268 requires the Department of Human Services to make certain records and reports available to Disability Rights Oregon when the reports are related to abuse against a child with a disability in a school or educational setting.

Oregon Laws 2017: Chapter 377

[Senate Bill 275](#)

Effective Date: July 3, 2017

Release of Individually Identifiable Health Information

At the request of: Senate Interim Committee on Health Care

Committees: Senate Human Services, House Health Care

Background and Current Law: Oregon law requires that state health plans, health insurers, certain health care providers, and health care clearinghouses (collectively “covered entities”) provide one free copy of a patient’s individually identifiable health information when that person is appealing a denial of Social Security disability benefits. Such records are required to be released to the appellant or to the appellant’s representative in paper or electronic form upon request.

Bill Summary: Senate Bill 275 requires covered entities to provide one free copy of an appellant’s health records from the alleged onset of the disability after the appellant’s initial application for Social Security disability benefits and before the administrative hearing. It permits the appellant to choose the format of the health records provided. The measure allows covered entities to charge a fee or to deny additional requests for copies of records by an appellant or their representative when appealing a denial of Social Security disability benefits. Additionally, SB 275 allows covered entities to deny requests in general by persons other than the patient or patient’s representative who do not have the patient’s authorization, and to charge for such requests made with the patient’s authorization.

Oregon Laws 2017: Chapter 551

[Senate Bill 819](#)

Effective Date: June 22, 2017

Critical Incident Response Teams’ Responsibilities

Chief Sponsors: Sens. Gelser, Olsen

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: Oregon law requires the Department of Human Services (DHS) to assign a Critical Incident Response Team (CIRT) to investigate certain child deaths if the child was in DHS custody or if the child was subjected to a recent Child Protective Services assessment. Investigations begin within 24 hours of the determination that a child may have died from abuse or neglect. CIRT reviews the case and develops recommendations to improve the child welfare system to prevent future incidents.

Bill Summary: Senate Bill 819 expands the responsibilities of CIRTs by requiring assignment whenever a deceased child, the child’s sibling, or any child in the same household was subject to a Child Protective Services assessment, a recent child welfare or adoption case, or any report of abuse. It sets forth members of CIRTs and directs DHS to provide all available information. The bill also establishes timelines for a CIRT to file initial, progress, and final reports with DHS.

Oregon Laws 2017: Chapter 469

[Senate Bill 830](#)

Effective Date: January 1, 2018

Definition of Current Caretaker

Chief Sponsors: Sen. Gelser; Reps. Stark, Olson

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: Oregon defines a “current caretaker” as a foster parent that has had a long-term relationship with a foster child, and who may be prioritized over others seeking to adopt the child. Current law contemplates consecutive care for the previous 12 months only, which may result in the loss of priority adoption status for otherwise long-term foster parents, if there are any interruptions in care.

Bill Summary: Senate Bill 830 modifies the definition of “current caretaker” to allow for cumulative calculation of a foster parent’s time spent caring for a foster child or the child’s sibling. The measure includes foster parents who have cared for the child or sibling for a cumulative 12 months, or foster parents who have provided care for half of the life of a child or sibling, if the child or sibling is under two years old, with that time calculated cumulatively.

Oregon Laws 2017: Chapter 351

[Senate Bill 833-A](#)

Not Enacted

Suicide Prevention Hotlines

Chief Sponsors: Sen. Gelser; Reps Keny-Guyer, Buehler

Committees: Senate Human Services, House Judiciary

Background and Current Law: In 2013, Oregon was one of the country’s top 10 states for frequency of suicide incidents, a position it has occupied for several decades. The Oregon Health Authority reports that suicide is the second-leading cause of death for people under the age of 35, with 760 suicides and 2,000 people hospitalized for suicide-associated behavior in Oregon in 2015. Suicide prevention hotlines exist to connect people in need with relevant support, particularly those who may not have access to on-the-ground resources. Individuals in need may not seek assistance on their own initiative.

Bill Summary: Senate Bill 833-A would have required law enforcement agencies to adopt policies and procedures for officers to follow when responding to an attempted suicide. The bill permitted officers responding to a suicide attempt to call a suicide prevention and intervention hotline on the individual’s behalf.

[Senate Bill 834](#)

Effective Date: June 14, 2017

Independent Human Rights Commission

Chief Sponsors: Sen. Gelser; Rep. Piluso

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: Federal law protects the rights of intellectually and developmentally disabled individuals. However, these rights are sometimes unnecessarily restricted, and oversight is necessary. Several states have commissions or agencies dedicated to adjudicating the rights of individuals with disabilities. Some of those commissions or agencies are independent, and others are a division within a larger department. Oregon currently has no such commission.

Bill Summary: Senate Bill 834 directs the Department of Human Services to develop a proposal for creating an independent human rights commission and to submit the proposal to the Legislative Assembly by December 1, 2017. The bill requires the commission to safeguard the dignity and basic rights of persons with intellectual and developmental disabilities.

Oregon Laws 2017: Chapter 353

[Senate Bill 841](#)

Not Enacted

Mandatory Purchasing from Commission for the Blind

Chief Sponsors: Senate Human Services

Committees: Senate Human Services

Background and Current Law: Oregon law requires state agencies to purchase products and services from the Commission for the Blind to increase economic opportunities for people who are visually impaired. The commission is authorized to operate vending facilities in public buildings and properties. The commission also surveys public properties to determine the suitability of vending facilities, and it trains and certifies qualified blind staff.

Bill Summary: Senate Bill 841 would have clarified that state agencies are required to purchase products and services from the Commission for the Blind when they meet the agency's requirements and are offered by the commission. The bill would have created a Business Enterprise Program to oversee the maintenance and management of the commission's vending facilities. The commission was required to facilitate dispute resolution between state agencies and any person who is blind. Finally, it would have required the commission to submit an annual report to the legislature prior to each regular session.

[Senate Bill 860](#)

Effective Date: August 8, 2017

Behavioral Health Parity of Insurance Reimbursements

At the request of: Oregon Independent Mental Health Professionals

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: Federal and state law require group health insurance policies to cover and reimburse expenses for treating chemical dependency and mental health conditions at the same level as other medical care. Insurers are prohibited from discriminating against providers that are providing care within the scope of their license under a health benefit plan; however, many states that expanded Medicaid are having trouble achieving parity between different types of health care providers.

Bill Summary: Senate Bill 860 requires the Department of Consumer and Business Services (DCBS) to examine the parity of insurance reimbursements between behavioral and physical health care providers, including mental health providers with prescribing privileges, and consider specified metrics. The measure also requires DCBS to adopt rules fully implementing existing mental health parity and network adequacy statutes, including incorporating the examination's findings, which are due to the Legislative Assembly by September 1, 2019.

Oregon Laws 2017: Chapter 694

[Senate Bill 942](#)

Effective Date: August 15, 2017

Child Abuse Investigations and Substitute Care

Chief Sponsors: Senate Human Services

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: Oregon law requires the Department of Human Services (DHS) or a law enforcement agency to conduct child abuse investigations upon receipt of a report; however, DHS is not required to make a finding after an investigation. DHS has requirements for assessing substitute care placements, but the agency does not currently conduct exit interviews with a child being removed from substitute care.

Bill Summary: Senate Bill 942 requires DHS to conduct child abuse investigations as outlined in Oregon law in the Reporting of Child Abuse Act and to make specified findings until statewide metrics and goals are met. The bill also requires DHS to conduct exit interviews with children over the age of five that are removed from substitute care. Interviews must include the child's perception of the safety and quality of life at the placement, as well as improvements that could be made.

Oregon Laws 2017: Chapter 740

[Senate Bill 944](#)

Effective Date: August 8, 2017

Youth Acute Behavioral Health Leadership Council

Chief Sponsors: Senate Human Services

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: It can be challenging for high-needs youth to access all the behavioral health services they might need. In large part, Oregon service providers report there is often a misalignment of behavioral health services available in an area and the demand for those services, including some providers who have a waiting list for potential patients while others have unused capacity. There are also different services and programs administered by different entities that can be difficult for children to navigate.

Bill Summary: Senate Bill 944 requires the Oregon Health Authority to contract with an in-state nonprofit organization to operate a 24-hour call center dedicated to providing information about available placements.

Oregon Laws 2017: Chapter 695

[Senate Bill 948](#)

Effective Date: January 1, 2018

Disqualifying Abuses for Residential Care Workers

Chief Sponsors: Senate Committee on Human Services

Committees: Senate Human Services, House Human Services and Housing

Background and Current Law: Oregon law provides mechanisms for the investigation of abuse in residential facilities. Claims, if substantiated, can result in penalties for the facility and the violating employee. Facilities are required to conduct a background check and include employment application questions regarding the job applicant's history of substantiated abuse claims. Public funds may not be used to support the employment of someone convicted of specified crimes.

Bill Summary: Senate Bill 948 requires the Department of Human Services to adopt rules specifying the types of abuse perpetrated by an individual that disqualify them from working at a residential training facility or residential training home. The bill specifies that any facility that is wholly or partially funded by public money cannot hire or retain an employee with a substantiated allegation of abuse and restricts disqualified individuals from seeking a fitness determination.

Oregon Laws 2017: Chapter 378

[Senate Bill 1018-A](#)

Not Enacted

Oregon Deaf, Deaf-Blind, and Hard of Hearing Program

Chief Sponsors: Sens. Monnes Anderson, Hansell; Rep. Heard

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: The Oregon Deaf and Hard of Hearing Program exists within the Department of Human Services (DHS). It offers technical assistance to make agency programs accessible to hearing-disabled people, advises policy makers, and promotes information the needs of hearing-disabled people and available programs.

Bill Summary: Senate Bill 1018-A would have replaced the Oregon Deaf and Hard of Hearing Program with the Oregon Deaf, Deaf-Blind, and Hard of Hearing Program, and specified the powers and duties of the program. The measure established a committee to advise DHS on the implementation and administration of the program, and required the State Board of Education to consult with the committee on standards for interpreters in schools. The measure also would have directed DHS to consult the committee on entering contracts with certified sign language interpreters.

[Senate Bill 1023-A](#)

Not Enacted

Deaf, Deaf-Blind, and Hard of Hearing Fund

Chief Sponsors: Sens. Monnes Anderson, Manning, Jr.

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: The Oregon Deaf and Hard of Hearing Services Program is funded through General Fund appropriations. The Residential Service Protection Fund, established in 1987, is a separate fund in the state treasury that collects money from surcharges placed on telecommunication subscribers by the Public Utility Commission (PUC) to help maintain services for specific populations, including customers who are deaf.

Bill Summary: Senate Bill 1023-A would have created a separate Deaf, Deaf-Blind, and Hard of Hearing Fund for the Oregon Department of Human Services (DHS) to administer programs for deaf, deaf-blind, or hard of hearing people. The measure directed the PUC to transfer up to \$200,000 annually from the Residential Service Protection Fund to the Deaf, Deaf-Blind, and Hard of Hearing Fund. The measure also would have required DHS and PUC to enter into an agreement regarding the amount of money transferred, the money's usage, and the plan for biennial reductions of transferred amounts.

[Senate Bill 1029](#)

Not Enacted

Farm Direct Nutrition Program Funding

Chief Sponsors: Sen. Thomsen; Reps. Meek, Keny-Guyer

Committees: Senate Human Services, Joint Ways and Means

Background and Current Law: The Oregon Farm Direct Nutrition Program is a supplemental nutrition program funded by the U.S. Department of Agriculture that gives checks to eligible low-income applicants to buy locally grown produce at approved farm stands and farmers' markets. The program includes a Senior Farm Direct Nutrition Program for people who are at least age 62 who receive Medicaid or food assistance. The Farm Direct program also includes the Women, Infants and Children (WIC) program that serves low-income pregnant or postpartum women, children under the age of five, and infants under the age of four months who have a health or nutrition risk.

Bill Summary: Senate Bill 1029 would have appropriated an unspecified amount of money from the General Fund to the Oregon Health Authority for the biennium beginning July 1, 2017 for the Senior Farm Direct Nutrition Program and the WIC Farm Direct Nutrition Program.

[House Bill 2170-A](#)

Not Enacted

Establishment of the Office of Oregon Ombudsmen

Chief Sponsors: Reps. Stark, Olson, Keny-Guyer, Piluso; Sens. Gelser, Dembrow, Hansell, Kruse

Committees: House Human Services and Housing, Joint Ways and Means

Background and Current Law: The United States Ombudsman Association defines public-sector ombudsman as an independent, impartial public official with authority and responsibility to receive, investigate, or informally address complaints about government actions. Oregon currently has a Long Term Care Ombudsman and a Foster Care Ombudsman.

Bill Summary: House Bill 2170-A would have established the Office of Oregon Ombudsmen including the offices of the Long Term Care Ombudsman, Residential Facilities Ombudsman, Oregon Public Guardian, Foster Parent Ombudsman and Foster Child Ombudsman. The measure specified the Office of Oregon Ombudsmen's services: providing information regarding rights, conducting investigations, helping with processes for engagement with other stakeholders, and establishing a hotline and working with stakeholders to identify and solve problems.

[House Bill 2216](#)

Effective Date: January 1, 2018

Foster Children’s Siblings Bill of Rights

Chief Sponsors: Reps. Piluso, McLain; Sen. Gelser

Committees: House Human Services and Housing, Senate Human Services

Background and Current Law: Currently, Oregon statute establishes the Foster Children’s Bill of Rights and the Foster Parent’s Bill of Rights. These statutes are designed to inform foster children and foster parents of their rights within the child welfare system.

Bill Summary: House Bill 2216 directs the Department of Human Services to establish the Foster Children’s Sibling Bill of Rights. Outlined within HB 2216 are essential rights for siblings who are foster children including placements together, communication guidance, and training for foster parents on sibling relationships. The measure specifies that it does not affect the application of the federal Indian Child Welfare Act.

Oregon Laws 2017: Chapter 36

[House Bill 2221-A](#)

Not Enacted

Reimbursement of Child Abuse Medical Assessments

Chief Sponsors: Reps. Whisnant, Stark; Sens. Gelser, Taylor

Committees: House Human Services and Housing, Joint Ways and Means

Background and Current Law: In 2015, the Oregon Legislative Assembly passed House Bill 2234 requiring the Oregon Health Authority (OHA) to reimburse community assessment centers for child abuse medical assessments and related services.

Bill Summary: House Bill 2221-A would have required OHA to ensure community assessment centers are reimbursed by coordinated care organizations (CCO) for child abuse medical assessments conducted on a child enrolled in a CCO. The bill would have required OHA and the Department of Consumer and Business Services to report annually to the Legislative Assembly on the implementation of child abuse medical assessments and any instance of insufficient funds in a CCO’s budget to reimburse for child abuse medical assessments.

[House Bill 2347-A](#)

Not Enacted

Temporary Assistance for Needy Families Extension

At the request of: Governor Brown for Department of Human Services

Committees: House Human Services and Housing, Senate Human Services, Joint Ways and Means

Background and Current Law: The Temporary Assistance for Needy Families (TANF) program provides cash assistance to low-income families. Cash assistance is used to meet a family's basic needs such as food, clothing, shelter, and utilities. To qualify for TANF, families must be at or below 37 percent of the federal poverty level and have few assets. Most people who receive TANF are required to participate in the Job Opportunities and Basic Skills (JOBS) program. The JOBS program provides a variety of activities including education, health services, life skills, and job training. Over 60,000 Oregonians participate in the TANF program.

Bill Summary: House Bill 2347-A would have extended the authority of the Oregon Department of Human Services to offer resources to individuals eligible for TANF, including the JOBS program, until July 1, 2019. The measure would have elayed the increase in cash assistance paid to families enrolled in the State Family Pre-Supplemental Security Income/Social Security Disability Insurance program until July 1, 2019. Additionally, the measure would have delayed the scheduled increase in the amount of time a family receiving temporary assistance may continue to receive assistance upon becoming ineligible due to employment or increased hours of work until July 1, 2019.

[House Bill 2534-A](#)

Not Enacted

Oregon Opportunity Commission

Chief Sponsor: Rep. Reardon

Committees: House Economic Development and Trade, House Human Services and Housing, Joint Ways and Means

Background and Current Law: The American Community Survey reports that 15 percent of Oregonians were living in poverty in 2015. For someone considered to be living in poverty in a four-person household, that household made \$24,250 or less in a year, and \$11,770 for an individual household (i.e., single individual).

Bill Summary: House Bill 2534-A would have established the Oregon Opportunity Commission and the Oregon Opportunity Fund. The purpose of the commission was to award funds, develop assessment tools, review laws and rules, and identify incentives to address concentrated poverty throughout Oregon. Commission membership included 19 different stakeholders representing the public, private, and nonprofit sectors.

[House Bill 2661](#)

Effective Date: August 8, 2017

Long Term Care Referral Agent Regulation

Chief Sponsors: Reps. Keny-Guyer, Meek

Committees: House Human Services and Housing, Joint Ways and Means

Background and Current Law: Oregon’s Department of Human Services provides resources for individuals and families making decisions on long-term care facilities which include adult foster home, assisted living, residential care, memory care, and nursing facilities. There are also placement or referral agencies providing services to help individuals and families decide on long-term care facilities, which are not regulated under Oregon law.

Bill Summary: House Bill 2661 prohibits long-term care referral agents from sharing or selling a client’s placement information or referring a client to a facility no agent has an ownership interest in. The bill requires a long-term care referral agent to provide clients with the disclosure of specific information regarding referrals and privacy of information. The bill also requires long-term care referral agents to register with the Oregon Department of Human Services every two years.

Oregon Laws 2017: Chapter 656

[House Bill 2685](#)

Not Enacted

Placement Choice for Adults with Developmental Disabilities

Chief Sponsors: Rep. Rayfield; Sen. Steiner Hayward

Committees: House Human Services and Housing, Joint Ways and Means

Background and Current Law: Oregon law requires the Department of Human Services (DHS) to present an adult with developmental disabilities at least three appropriate placement setting options, including two different types of residential settings.

Bill Summary: House Bill 2685 would have required DHS, when providing placement options to an eligible adult with developmental disabilities, to ensure that one of the options would help maintain the individual within their own home or the home of a family member.

[House Bill 2903](#)

Effective Date: May 24, 2017

Licensing Regulations for Child-Caring Agencies

Chief Sponsors: Reps. Olson, Stark; Sens. Prozanski, Gelser, Olsen

Committees: House Human Services and Housing, Senate Human Services

Background and Current Law: Oregon currently licenses over 4,000 child-caring facilities. The state's Department of Human Services (DHS) is required, by law, to immediately begin the process of revoking or suspending a child-caring agency's license, certificate, or authorization if: a child dies from abuse or neglect at the agency; the agency knows of abuse and does not take proper steps to ensure child safety; the agency fails to cooperate with investigations; or the agency fails to provide required financial statements.

Bill Summary: House Bill 2903 allows DHS to immediately place conditions on the license, certificate or authorization of a child-caring agency for certain child abuse-related findings or noncompliance with specified requirements when there is serious danger to public health or safety. The measure permits DHS to rescind a notice of intent to suspend or revoke a license upon finding that health and safety issues have been resolved. Child-caring agencies who receive a notice of intent to suspend or revoke from DHS must renew their license, certificate, or authorization on an annual basis for three years following the notice of intent. The bill also requires DHS to submit a report to legislative committees regarding "deemed status" determination of a child-caring agency by September 15, 2018.

Oregon Laws 2017: Chapter 138

[House Bill 2930](#)

Effective Date: January 1, 2018

Military Status Information in Child Abuse Reports

Chief Sponsors: Rep. Boone

Committees: House Human Services and Housing, Senate Human Services

Background and Current Law: The U.S. Department of Defense's Family Advocacy Program works to prevent child abuse by implementing programs, education, assessments, rehabilitative treatment, and ongoing monitoring and risk management for military families. Federal law requires the Secretary of Defense to request a report from each state on known or suspected instances of child abuse and neglect in which the person having care of the child is a member or a spouse of a member of the armed forces. Oregon law requires child abuse reports to be made at the Department of Human Services (DHS) or at a law enforcement agency.

Bill Summary: House Bill 2930 allows DHS or law enforcement agencies to collect information concerning the military status of a parent or guardian of a child who is the subject of a child abuse report. DHS or the law enforcement agency can share the information concerning military status with appropriate military authorities if a report of child abuse is received.

Oregon Laws 2017: Chapter 210

[House Bill 2985-A](#)

Not Enacted

Task Force on Employment-Related Child Care

Chief Sponsors: House Committee on Early Childhood and Family Supports

Committees: House Early Childhood and Family Supports, Joint Ways and Means

Background and Current Law: The Oregon Department of Human Services administers the Employment-Related Day Care (ERDC) program to help offset the cost of child care. ERDC provides subsidies to families who are working or in school with incomes at or below 185 percent of the federal poverty level.

Bill Summary: House Bill 2985-A would have created a 20-member Task Force on Employment-Related Child Care to conduct a study on ERDC access and availability of subsidies and to develop a plan to expand access. The bill would have required an initial report to the legislature by January 2, 2018 and a second report by January 2, 2019. Reports to the legislature would have included recommendations and identification of costs associated with expanding access to the program and increasing the number of providers of child care.

[House Bill 3063](#)

Effective Date: August 8, 2017

Housing for Health Fund

Chief Sponsors: Reps. Olson, Keny-Guyer; Sen. Gelser

Committees: House Human Services and Housing, Joint Ways and Means

Background and Current Law: The Oregon legislature in 2015 dedicated \$20 million in lottery bonds to the Housing for Mental Health Fund at Oregon Housing and Community Services (OHCS). These funds were allocated to provide financial assistance to aid in the development, acquisition, renovation, or improvement of affordable housing for Oregonians who have mental illnesses or addiction disorders. Currently, OHCS is collaborating with the Oregon Health Authority to seek applications for and subsequently fund eligible affordable multifamily residential rental housing developments supporting Oregonians with serious mental illnesses or substance abuse disorders.

Bill Summary: House Bill 3063 establishes the Housing for Mental Health Fund to develop community-based housing for individuals with mental illness and provide other housing-related services.

Oregon Laws 2017: Chapter 671

[House Bill 3067](#)

Effective Date: August 8, 2017

CourtCare Pilot Program

Chief Sponsors: House Committee on Early Childhood and Family Supports

Committees: House Early Childhood and Family Supports, Joint Ways and Means

Background and Current Law: Children who accompany their parents or guardians to court proceedings may witness conflict that creates trauma and stress. Trauma harms brain development and can lead to lifelong problems in learning, behavior, and physical and mental health. CourtCare was created in 2001 by Multnomah County Court to prevent children from experiencing trauma and to curb disruptions in the hearing room. The program provides free child care and court-related family services in a courthouse or in reasonable proximity to a courthouse.

Bill Summary: House Bill 3067 authorizes Marion and Polk counties to establish CourtCare pilot programs to provide quality child care to individuals and families. CourtCare programs must serve as a clearinghouse for information and resource referrals and must report on outcomes. The legislation directs counties to ensure that staff at CourtCare programs are enrolled in the Central Background Registry and that the program is certified or registered by the Office of Child Care in the Early Learning Division. The bill appropriates \$200,000 out of the General Fund to the Oregon Department of Administrative Services. Marion and Polk counties must report on the progress of the pilot programs to the Legislative Assembly by September 15, 2019.

Oregon Laws 2017: Chapter 672

[House Bill 3160](#)

Effective Date: May 25, 2017

White Cane Usage

Chief Sponsors: Reps. Doherty, Piluso

Committees: House Human Services and Housing, Senate Human Services

Background and Current Law: A person who is blind has 20/200 vision or less, or a visual field of 20 degrees or less. The American Optometric Association states that 20/200 vision means the individual must be as close as 20 feet to see what a person with normal vision can see at 200 feet. Current Oregon law allows individuals who are blind or blind and deaf to carry and use a white cane for mobility when crossing highways and other public places.

Bill Summary: House Bill 3160 allows an individual who has limited vision to carry and use a white cane on highways and other public places. The measure defines "limited vision" as a visual acuity that does not exceed 20/70 and is no worse than 20/200 in the better eye with corrective lenses, and blind is redefined to include a visual acuity not exceeding 20/200 in the better eye with corrective lenses.

Oregon Laws 2017: Chapter 175

Mandatory Agency Purchases from Commission for the Blind

Chief Sponsors: House Committee on Human Services and Housing

Committees: House Human Services and Housing, House Rules, Senate Rules

Background and Current Law: Oregon law requires state agencies and departments to purchase certain products and services from the Commission for the Blind as part of the state's efforts to increase economic opportunities for the visually impaired. The commission is authorized in statute to operate vending facilities in public buildings and properties, with the approval of the relevant agency head. The commission is also tasked with surveying public properties for determining suitability of vending facilities, as well as training and licensing qualified blind staff for the facilities.

Bill Summary: House Bill 3253 requires state agencies and departments to purchase certain products and services from the Commission for the Blind. The bill establishes the Business Enterprise Program in the commission to maintain and manage authorized vending facilities and requires facilitation of certain dispute resolution meetings. The bill also requires the commission to submit an annual report to Legislative Assembly.

Oregon Laws 2017: Chapter 717