

## 2019 SUMMARY OF LEGISLATION

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# HUMAN SERVICES

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# HUMAN SERVICES MEASURES

<b>Abuse, Reporting, and Investigations</b>	Enacted	SB 26, SB 415, SB 804, SB 832, SB 917, HB 2033, HB 2464
	Not Enacted	SB 653, SB 921, HB 2969, HB 2994, HB 3178, HB 3179, HB 3180, HB 3191, HB 3208, HB 3383
<b>Behavioral and Mental Health</b>	Enacted	SB 22, SB 167, SB 177, SB 707
	Not Enacted	SB 173, SB 174, SB 918
<b>Child Care</b>	Enacted	SB 491, SB 813, HB 2346, HB 3394
	Not Enacted	HB 2348, HB 2349, HB 2608, HB 3041
<b>Deaf, Deaf-Blind, and Hard of Hearing</b>	Enacted	HB 3205
	Not Enacted	HB 3206
<b>Juvenile Dependency and Delinquency</b>	Enacted	SB 15, SB 171, SB 181, SB 278, SB 475, SB 924, HB 2568
	Not Enacted	SB 264, SB 745, HB 2332, HB 2337, HB 2570, HB 2805, HB 3041
<b>General Human Services</b>	Enacted	SB 1, SB 19, SB 809, SB 994
	Not Enacted	SB 221, SB 737, SB 790, SB 814, SB 833, SB 964, SB 1036, HB2131, HB 2139, HB 2151, HB 2245, HB 2310, HB 2508, HB 2626, HB 2639, HB 2771, HB 2802, HB 3028, HB 3170
<b>Intellectual, Developmental, and Physical Disabilities</b>	Enacted	SB 20, SB 163, SB 176, SB 491, SB 492, SB 493, SB 1039
	Not Enacted	SB 274, HB 2947, HB 2963, HB 3000, HB 3122, HB 3270

<b>Long-term Care and Aging</b>	Enacted	SB 31, SB 178, SB 1035, HB 2524, HB 2908, HB 3413
	Not Enacted	SB 30, SB 175, SB 179, HB 2569, HB 2963, HB 3170, HB 3270, HB 3342
<b>Self Sufficiency</b>	Enacted	HB 3183
	Not Enacted	SB 727, HB 2032

Picture: Jamison Park, Multnomah County – [Gary Halvorson, Oregon State Archives](#)

# TASK FORCES AND REPORTING REQUIREMENTS

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

Bill Number	Description	Deadline
SB 1	Requires the System of Care Advisory Council to submit six reports to an interim committee of the Legislative Assembly related to youth, and to the Governor: 1. A report on strengthening the service continuum;	May 1, 2020
	2. A description of the Children’s System Data Dashboard;	June 1, 2020
	3. A status report on the plan for a coordinated state system of care;	June 1, 2020
	4. Recommendations to resolve implementation barriers and challenges;	September 15, 2020
	5. Recommendations regarding opportunities for funding; and	February 1, 2021
	6. Details of comprehensive, long-range plan for coordinated system of care.	September 15, 2021
SB 171	Directs Department of Human Services and Oregon Health Authority to submit a joint report regarding out-of-state placements to interim committees of Legislative Assembly relating to children.	September 1, 2019

SB 669	Requires Department of Human Services to make recommendations to the Legislative Assembly on methods for assessing and monitoring services provided by home care workers.	February 1, 2021
HB 2346	Requires Early Learning Division to submit the first report on existing child care subsidy programs to the Task Force on Access to Quality Affordable Child Care as outlined in House Bill 2346	December 31, 2019 and June 30, 2020
HB 2568	Directs Department of Administrative Services to report on Court Appointed Special Advocates' Volunteer Programs	July 1, 2020 and September 15, 2020

### [Senate Bill 1](#)

Effective Date: July 23, 2019

[\(see Senate Bill 221\)](#)

### Children and Youth with Specialized Needs

**Chief Sponsors:** Sen. Courtney

**At the request of:** Governor Kate Brown, Chief Justice Martha L. Walters

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Children and Youth with Specialized Needs Work Group was formed in January of 2018 by the Governor, the President of the Senate, and the Chief Justice of the Supreme Court, to address unique challenges faced by children with distinctive mental or behavioral health needs who come to the attention of different systems (such as the juvenile justice system, the child welfare system, or the health care system).

**Bill Summary:** Senate Bill 1 is a product of the Children and Youth with Specialized Needs Work Group. The measure establishes a System of Care Advisory Council (Council) to improve the effectiveness and efficacy of state and local systems of care that provide services to youth. The measure directs the Council to develop and maintain a state system of care policy and a comprehensive, long-term plan for a coordinated state system of care that encompasses public health, child welfare, education, health systems, juvenile justice, and services and supports for mental and behavioral health and people with intellectual or developmental disabilities. The Council is required to submit a series of reports to the Governor and the Legislative Assembly regarding barriers to implementation, and to recommend legislation to establish a single statewide system of accountability and take advantage of funding opportunities. Finally, Senate Bill 1 allows the Oregon Health Authority, the Oregon Youth Authority, and the Department of Human Services to contract for interdisciplinary assessment teams to provide services to youth; increase statewide capacity; and prioritize evaluation, assessment, and stabilization services provided to youth in specific circumstances. Senate Bill 221 allocates moneys from the General Fund for the implementation of Senate Bill 1.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment

### [Senate Bill 15](#)

Effective Date: January 1, 2020

#### **Compliance Monitoring Authority of the Youth Development Council**

**At the request of:** Governor Kate Brown for Department of Education

**Committees:** Senate Human Services, Senate Judiciary, House Judiciary

**Background and Current Law:** First enacted in 1974, the federal Juvenile Justice and Delinquency Prevention Act (JJDP) was reauthorized in December 2018. The JJDP requires each state to create a State Advisory Group that is principally responsible for monitoring and supporting a state's progress in addressing the core requirements of the JJDP. The Oregon Legislative Assembly established the Youth Development Council (YDC) in 2012 to assist the Oregon Education Investment Board (OEIB) in the assessment and coordination of the state's investments in programs that help school age children and youth succeed and stay out of the juvenile justice system. The YDC assists with the development of education policy and supports community and school-based services and programs for youth ages 6 to 24 that focus on crime prevention, educational success, and reducing high-risk behaviors.

**Bill Summary:** Senate Bill 15 permits the Youth Development Council to promulgate rules, and pursuant to those rules, identify facilities in which juveniles are detained for data collection and inspection to fulfill its duty to oversee Oregon's Juvenile Justice and Delinquency Prevention Act advisory group.

**Oregon Laws 2019:** Chapter 256

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### [Senate Bill 19](#)

Effective Date: January 1, 2020

#### **Department of Human Services Omnibus Bill**

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

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Department of Human Services (DHS) and the Oregon Health Authority (OHA) operate programs providing adult foster homes for individuals in need. Independent providers for the aging and people with disabilities and developmental disabilities are personal support workers, individuals who are paid as contractors, or self-employed individuals. Eligibility criteria for individuals with intellectual or developmental disabilities to receive services from DHS are highly specific. The DHS Office of Developmental Disability Services does not have distinct enforcement authority regarding nonresidential service providers.

**Bill Summary:** Senate Bill 19 is the omnibus bill for DHS. The measure requires DHS and OHA to adopt program-specific licensing regulations applicable to the adult foster homes they administer. It adds independent providers who serve children or adults with developmental disabilities to the list of mandatory reporters. The measure also modifies definitions for both "developmental disability" and "intellectual disability" consistent with federal definitions, authorizes DHS to impose civil penalties for violations of programs or service delivery within its scope of responsibility, and specifies the use of funds collected for such violations. Finally, Senate Bill 19 changes the name of the Volunteer Program Donated Fund Account to the Donated Fund Account and clarifies the use of funds consistent with current practice.

**Oregon Laws 2019:** Chapter 455

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### [Senate Bill 20](#)

Effective Date: January 1, 2020

#### Services for Children and Adults with Developmental Disabilities

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

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

**Background and Current Law:** The Office of Developmental Disability Services provides services through Community Developmental Disabilities Providers and brokerages. Community Developmental Disabilities Providers are authorized to deliver services to any eligible child or adult in any service setting; brokerages are allowed to deliver some services to some eligible adults and are not allowed to deliver any services to children.

**Bill Summary:** Senate Bill 20 consolidates eligibility for services to children and adults with developmental disabilities and provides more uniform access by eliminating the definition of "adult" and referring instead to "individuals." It modifies other definitions, including definitions of "self-determination" and "community living setting." The measure requires the Department of Human Services to use case management entities and to contract with support service brokerages and with each community developmental disabilities program concerning the provision of services.

**Oregon Laws 2019:** Chapter 276

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### [Senate Bill 22](#)

Effective Date: January 1, 2020

#### Standards for Identifying Behavioral Health Homes

**At the request of:** Governor Kate Brown for Oregon Health Authority

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Patient-Centered Primary Care Home Program within the Oregon Health Authority (OHA) was created by House Bill 2009 in 2009. The purpose of this program is to define core attributes of patient-centered primary care homes and behavioral health homes to: ensure care is coordinated; promote consistency of services; establish a process to identify homes that satisfy core attributes; and develop uniform quality measures and policies that encourage the retention and growth of providers. OHA is required to convene work groups to make recommendations for best practices of school-based health centers, including certification of school-based health centers as patient-centered primary care homes.

**Bill Summary:** Senate Bill 22 clarifies the application of statutes governing patient-centered primary care homes and school-based health centers by distinguishing between primary care homes and behavioral health homes. The measure replaces "certification" with "identification" and makes corresponding conforming changes to prioritize use of funds to increase the number of school-based health centers identified as patient-centered primary care homes, rather than certified as patient-centered primary care homes.

**Oregon Laws 2019:** Chapter 536



[Senate Bill 26](#)

Effective Date: June 13, 2019

**Oregon Health Authority Employment**

**At the request of:** Governor Kate Brown for Oregon Health Authority

**Committees:** Senate Human Services, House Health Care

**Background and Current Law:** The Oregon Health Authority (OHA) was established as a state agency in 2009 through House Bill 2009. The director of OHA, or a designee of the director, is authorized to appoint, suspend, or discharge any employee.

**Bill Summary:** Senate Bill 26 requires an OHA employee to be discharged if a claim that they have physically or sexually abused a patient or client is substantiated.

**Oregon Laws 2019:** Chapter 357

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[Senate Bill 30](#)

Not Enacted

**Placements for Protected Adults with Guardians**

**At the request of:** Governor Kate Brown for Long Term Care Ombudsman

**Committees:** Senate Human Services

**Background and Current Law:** Guardians of protected adults are currently permitted to make or change the placement of the protected adult in a mental health treatment facility, a nursing home, or another residential facility. To make this placement, a guardian must file with the court and serve a statement to the protected adult declaring the intent to make a move or placement change at least 15 days in advance of the change. The notice provided to the protected adult must inform them how to object and the court must schedule a hearing on any objection it receives. If a guardian determines that the move must occur in less than 15 days to protect the immediate health, welfare, or safety of the protected adult or others, the statement must so state and must be filed and served with as much advance notice as possible but not more than two judicial days after the move has occurred. Guardians are also permitted to move a protected adult prior to a hearing on an objection.

**Bill Summary:** Senate Bill 30 would have prohibited guardians from moving adult protected persons without prior court approval, and it would have clarified the process for changing a protected person's placement.

### [Senate Bill 31](#)

**Effective Date: January 1, 2020**

#### **High-Risk Teams for Highly Vulnerable Adults**

**At the request of:** Governor Kate Brown for Long Term Care Ombudsman

**Committees:** Senate Human Services, Senate Judiciary, House Judiciary

**Background and Current Law:** In 2014, the Oregon Public Guardian and Conservator (OPGC) was established within the Office of the Long Term Care Ombudsman. The OPGC is tasked with providing guardianship and conservatorship services for persons who do not have relatives or friends willing or able to provide those services and who lack the resources to hire a professional fiduciary.

**Bill Summary:** Senate Bill 31 allows the OPGC to establish both county and statewide high-risk teams. The teams are charged with discussing situations in which highly vulnerable adults are at risk for serious harm, or are currently experiencing harm, and to identify available options for addressing the safety risk. Teams must have a written protocol, including a policy to keep all information and records acquired by the team confidential, except in cases in which it is disclosed to a specific individual who can prevent or lessen a serious threat to the health or safety of the person or public.

**Oregon Laws 2019:** Chapter 96

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### [Senate Bill 163](#)

**Effective Date: September 29, 2019**

#### **Achieving a Better Life Experience Program Costs**

**At the request of:** State Treasurer Tobias Read

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Achieving a Better Life Experience (ABLE) Act of 2014 allows states to create tax-advantaged savings programs for eligible people with disabilities. ABLE accounts are intended to supplement benefits currently provided by Social Security, Medicaid, employers, and private insurance. The ABLE savings program is treated the same as a qualified tuition program, such as a 529 savings plan, making the two savings programs compatible. In 2015, Senate Bill 777 enabled the Oregon 529 Savings Board to implement an ABLE program.

**Bill Summary:** Senate Bill 163 allows the Oregon 529 Savings Board to collect fees for applications, accounts, or administration to defray the costs of the ABLE program.

**Oregon Laws 2019:** Chapter 511

### [Senate Bill 167](#)

Effective Date: January 1, 2020

#### Rights of Consumers of Mental Health Services

**At the request of:** Senate Interim Committee on Human Services

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

**Background and Current Law:** The Mental Health Services Bill of Rights was enacted in 1993 (Senate Bill 354). Since that time, the way mental health services receive public funding has left many providers uncovered by the definitions in those statutes. This, in turn, leaves individuals in their care unprotected by the Mental Health Services Bill of Rights. Senate Bill 1540 (2018) updated the definitions in the mandatory abuse reporting and investigation statutes that govern mental health service provisions to include providers that had been left uncovered by the changes in public financing of mental health services.

**Bill Summary:** Senate Bill 167 aligns definitions in the Mental Health Services Bill of Rights with the newly updated mandatory reporting and investigations definitions to ensure that its protections are guaranteed to all individuals receiving publicly funded mental health services.

**Oregon Laws 2019:** Chapter 236

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### [Senate Bill 171](#)

Effective Date: July 23, 2019

#### Residential Care for Children and Youth

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The federal Family First Prevention Services Act (Family First) was signed into law as part of the Bipartisan Budget Act on February 9, 2018. It provides an option to states to use federal funds for services that prevent children from being removed from their families and placed in substitute care. Family First limits funding for children who are placed in a setting that is not a foster family home unless the setting is a qualified residential treatment program (QRTP).

**Bill Summary:** Senate Bill 171 authorizes the Department of Human Services (DHS) to place children or wards in QRTPs and aligns the child welfare system's use of QRTPs consistent with Family First. It prohibits DHS from placing a child or ward in a congregate care residential setting that is not a child-caring agency or hospital, except in specified settings. The measure includes time limits for placements of children or wards in: non-QRTP residential care agencies or shelter care homes; non-QRTP homeless, runaway, or transitional living shelters; and placements serving adjudicated youth or youth served by the Oregon Youth Authority or county juvenile departments. Senate Bill 171 requires DHS to ensure that each child placed in a QRTP has an assessment completed within 30 days and that the courts order approval or disapproval of the placement within 60 days. If the court orders disapproval, DHS is to move the child to a placement consistent with the court's order within 30 days. Senate Bill 171 also addresses out-of-state placement reporting.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment

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[Senate Bill 173](#)

Not Enacted

**Behavioral Health Needs of Seniors and Persons with Disabilities**

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services

**Background and Current Law:** According to the World Health Organization, approximately 15 percent of adults age 60 and older suffer from a mental health disorder. In 2015, the Oregon Health Authority reported that the highest suicide rate in the state occurred among men age 85 and older, and the state had the highest rate of hospitalization for opioid-related issues in the nation for those age 65 and older.

**Bill Summary:** Senate Bill 173 would have appropriated \$10 million from the General Fund to the Oregon Health Authority to enhance behavioral health programs and supports for seniors and individuals with disabilities.

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[Senate Bill 174](#)

Not Enacted

**Center for Excellence on Behavioral Health for Older Adults and People with Disabilities**

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services

**Background and Current Law:** According to the World Health Organization, approximately 15 percent of adults age 60 and older suffer from a mental health disorder. In 2015, the Oregon Health Authority reported that the highest suicide rate in the state occurred among men age 85 and older, and the state had the highest rate of hospitalization for opioid-related issues in the nation for those age 65 and older.

**Bill Summary:** Senate Bill 174 would have appropriated \$2 million from the General Fund to the Department of Human Services to collaborate with the Oregon Health Authority to establish a Center for Excellence on Behavioral Health for Older Adults and People with Disabilities. The measure would have required the Center to: promote behavioral health of older adults and people with disabilities, identify and emphasize relevant programs, research, technology and policy issues; and provide relevant leadership, best practices, support and training.

### [Senate Bill 175](#)

Not Enacted

#### **Access to Mental Health, Substance Abuse, and Long Term Care Programs**

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services

**Background and Current Law:** The Oregon Health Authority offers programs and services related to health, including mental health services, addiction services, and programs for individuals with co-occurring disorders. The Department of Human Services administers a range of long term care programs and services that help people who can no longer meet their own daily needs.

**Bill Summary:** Senate Bill 175 would have directed the Oregon Health Authority and the Department of Human Services to convene a stakeholder group to develop programmatic and policy recommendations for creating seamless access to mental health services, drug and alcohol treatment services, and long term care services and supports. The measure would have required the stakeholder group to include consumers and advocates for consumers of such services and supports.

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### [Senate Bill 176](#)

Effective Date: January 1, 2020

#### **Equal Access to Fuel Dispensing Services**

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services, Senate Environment and Natural Resources, House Human Services and Housing

**Background and Current Law:** The Americans with Disabilities Act requires self-serve gas stations to provide equal access to individuals with disabilities by providing refueling assistance upon request without additional charge and by providing notice (such as signs) to consumers indicating how to obtain assistance. Oregon prohibited self-service at retail fueling stations until 2015, when House Bill 3011 was passed allowing consumers to serve themselves between the hours of 6:00 p.m. and 6:00 a.m. in counties with populations of less than 40,000 residents. In 2017, House Bill 2482 passed allowing self-service 24 hours per day in those counties and requiring gas stations that also sold goods and services to provide an attendant to dispense fuel between the hours of 6:00 a.m. and 6:00 p.m.

**Bill Summary:** Senate Bill 176 requires service stations with attendants, in counties where self-service gasoline is allowed, to provide equal access to dispensing services to individuals with disabilities without additional charge and requires conspicuous notice of such service.

**Oregon Laws 2019:** Chapter 237

### [Senate Bill 177](#)

**Effective Date: September 29, 2019**

#### **Hospice Programs and Palliative Care**

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services, Senate Health Care, House Health Care

**Background and Current Law:** Palliative care is patient- and family-centered medical care that focuses on the quality of life of seriously ill patients and their families. Palliative care addresses the physical, social, and spiritual needs of a patient while facilitating patient control, access to information, and choice. Palliative care can include discussion of treatment goals and available treatment options, as well as pain and symptom management. Palliative care is most often provided in hospitals, but can be provided in homes, nursing homes, and other outpatient settings. Hospice care similarly addresses the comprehensive needs of patients and families but is offered when life expectancy is measured in months or weeks. Hospice care is most commonly provided in the patient's home.

**Bill Summary:** Senate Bill 177 allows stand-alone hospice programs to provide palliative care without an in-home care agency license.

**Oregon Laws 2019:** Chapter 238

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### [Senate Bill 178](#)

**Effective Date: January 1, 2020**

#### **Election for Hospice Treatment**

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services, House Health Care

**Background and Current Law:** An “advance directive” is a document that contains health care instructions and/or grants of authority, such as designating a representative to make health care decisions, or power of attorney, on behalf of an incapacitated person. Life-sustaining health care decisions may be made on behalf of an incapacitated person with a terminal condition, pursuant to an advance directive and/or by authorized individuals, such as a guardian, appointed or designated health care representative, the person's spouse, the person's parent or adult child, and/or attending health care providers.

**Bill Summary:** Along with other life-sustaining treatment decisions that may be made on behalf of an incapacitated person without an advance directive, Senate Bill 178 allows an authorized health care representative to elect hospice treatment.

**Oregon Laws 2019:** Chapter 239

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### [Senate Bill 179-A](#)

Not Enacted

#### Palliative Care Program

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services, Senate Health Care, Joint Ways and Means

**Background and Current Law:** Palliative care is patient-centered and family-centered medical care that optimizes a patient's quality of life by anticipating, preventing, and treating the suffering caused by serious illness. The care involves addressing the patient's physical, social, and spiritual needs, as well as facilitating the patient's authority, access to information, and choice. Palliative care includes but is not limited to: discussing a patient's goals for treatment; discussing the treatment options that are appropriate for the patient; and comprehensive pain and symptom management.

**Bill Summary:** Senate Bill 179-A would have required the Oregon Health Authority to establish and administer a program to provide palliative care services and support the provision of home- and community-based end of life care. The measure would have specified program criteria, contingent on approval from the Centers for Medicare and Medicaid Services.

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### [Senate Bill 181](#)

Effective Date: June 27, 2019

#### Child-Caring Agencies that are County Programs

**At the request of:** Senate Interim Committee on Human Services

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** Child-Caring Agencies (CCAs) are private agencies providing day treatment for children with emotional disturbances, adoption placement services, residential care (including foster care or residential treatment for children), outdoor youth programs, and other similar care or services for children. CCAs are licensed by the Department of Human Services (DHS). There are eight types of CCAs: residential care; foster care agencies; outdoor youth programs; homeless and runaway shelters or transitional living programs; academic boarding schools; therapeutic boarding schools; day treatment; and adoption agencies. County programs providing care or services to children are not CCAs.

**Bill Summary:** Senate Bill 181 includes county programs that provide care or services to children in the custody of DHS or the Oregon Youth Authority (OYA) to the definition of child-caring agencies for the purpose of placing children in foster homes. The measure defines "county program" as any county-operated program that provides care or services to children in the custody of DHS or OYA, excluding any local juvenile detention facility that receives state services provided and coordinated by the Department of Corrections. The measure also modifies the reporting requirements of county juvenile departments to juvenile courts regarding youth offenders in the care of the juvenile department.

**Oregon Laws 2019:** Chapter 513



## HUMAN SERVICES

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### [Senate Bill 221-A](#)

Not Enacted

(see [Senate Bill 1](#) and [House Bill 5026](#))

### Supports for Children and Youth with Specialized Needs

**At the request of:** Governor Kate Brown for the Office of the Governor

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Children and Youth with Specialized Needs Work Group was formed in January of 2018 by the Governor, the President of the Senate, and the Chief Justice of the Supreme Court, to address unique challenges faced by children with distinctive mental or behavioral health needs who come to the attention of different state systems (such as the juvenile justice system, the child welfare system, or the health care system).

**Bill Summary:** Senate Bill 221-A was a product of the Children and Youth with Specialized Needs Work Group. The measure would have appropriated General Fund dollars to the Oregon Health Authority for intensive in-home behavioral health care for children and for statewide implementation of crisis and transition services; and to the Department of Human Services for implementation of the federal Family First Prevention Services Act, for therapeutic foster care, and to enhance services for children with intellectual or developmental disabilities who may also have behavioral health needs. These appropriations were included in House Bill 5026.

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### [Senate Bill 264](#)

Not Enacted

### Community-Based Youth Development Programs

**Chief Sponsors:** Sen. Olsen

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Youth Development Division (YDD) in the Oregon Department of Education provides services to school-age children and youths up to 24 years of age to support educational success, with a focus on crime prevention and reducing high-risk behaviors. According to YDD, 17,506 Oregon youths ages 16 to 21 do not have a high school diploma or GED and are not enrolled in school.

**Bill Summary:** Senate Bill 264 would have appropriated \$1 million from the General Fund to YDD for grants to community-based youth development programs.



### [Senate Bill 274](#)

Not Enacted

#### Developmental Disability Program Support Services

**Chief Sponsors:** Sen. Manning Jr.

**At the request of:** Oregon Support Services Association

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** A support service brokerage is an entity that contracts with the Department of Human Services (DHS) to provide or arrange for support services for adults with developmental disabilities. According to DHS, 7,643 adults were enrolled in brokerage services with the Office of Developmental Disability Services as of September 2018. Under current statute, community developmental disabilities providers are able to deliver services to any eligible child or adult in any service setting; brokerages are able to deliver some services to some eligible adults and are not able to deliver any services to children.

**Bill Summary:** Senate Bill 274 would have expanded eligibility for developmental disability brokerage services to provide services to individuals who are 14 to 17 years of age.

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### [Senate Bill 278](#)

Effective Date: January 1, 2020

#### Rent Guarantee Program Eligibility

**Chief Sponsors:** Sen. Taylor; Rep. Piluso

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

**Background and Current Law:** In 2017, House Bill 2724 directed Oregon Housing and Community Services (OHCS) to develop and implement the Rent Guarantee Program to provide tenants from low-income households with training certification to achieve successful tenancy. Rent Well is the recognized tenant education course taught by certified instructors throughout the Portland metropolitan area that helps participants be successful renters. Topics covered in the course include understanding landlord expectations, budgeting, effective communication with landlords and neighbors, maintaining a rental unit, and successful move-in and move-out procedures. Participants include individuals who have poor or no credit, past evictions, no rental history, or a criminal history and who are low-income, at risk of homelessness, or currently homeless. When a participant completes the Rent Well course, they receive a certificate to present to landlords when applying for rental housing. Landlords that accept Rent Well tenants can register for the Rent Well Landlord Guarantee Fund, which may cover damages, unpaid rent, or eviction costs.

**Bill Summary:** Senate Bill 278 extends eligibility for the Rent Guarantee Program under OHCS to individuals between 16 and 27 years of age who were wards of the juvenile court within the past 10 years. The measure also removes the requirement that providers enter information into the homeless management information system maintained by OHCS and clarifies that the reports required by providers must include information regarding the number of program-eligible tenants participating in the program.

**Oregon Laws 2019:** Chapter 243

### [Senate Bill 415](#)

**Effective Date: January 1, 2020**

#### **Mandatory Reporters of Child Abuse**

**Chief Sponsors:** Sen. Beyer; Rep. Lively

**Committees:** Senate Human Services, House Education

**Background and Current Law:** Oregon law specifically lists individuals who are required to report abuse as "mandatory reporters." Senate Bill 622 (2015) included home care workers and personal support workers in the list of mandatory reporters. Other mandatory reporters include physicians, dentists, school employees, health care professionals, members of the clergy, attorneys, and child care providers.

**Bill Summary:** Senate Bill 415 adds school district board members, public charter school governing body members, and employees of the Oregon Department of Education to the list of mandatory reporters.

**Oregon Laws 2019:** Chapter 176

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### [Senate Bill 475](#)

**Effective Date: January 1, 2020**

#### **Students in Foster Care**

**Chief Sponsors:** Sen. Gelser; Rep. Stark

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

**Background and Current Law:** According to the Department of Human Services, 11,645 children spent at least one day in foster care in Oregon in 2017. Of these children, 6,938 were school-aged. An abbreviated school day is any school day during which a student receives instruction or education services for fewer hours than other students who are in the same grade and school.

**Bill Summary:** Senate Bill 475 authorizes school districts to provide an abbreviated school day program to a student in foster care if the school district provided specified information and the foster parent had an opportunity to meaningfully engage in the decision.

**Oregon Laws 2019:** Chapter 295

### [Senate Bill 490](#)

Effective Date: Upon Governor's Signature

#### Individuals Prohibited from Providing Child Care

**Chief Sponsors:** Sen. Gelser; Rep. Lively

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

**Background and Current Law:** Child care providers must be licensed, registered, or certified with the Office of Child Care (OCC) within the Early Learning Division of the Department of Education. Child care facilities include day nurseries, nursery schools, child care centers, certified or registered family childcare homes, or similar entities operating under any name. All staff and individuals who may have unsupervised access to children must enroll in the Central Background Registry (registry) administered by the OCC. Applicants to the registry undergo a background check to determine if they are permitted on the premises.

**Bill Summary:** Senate Bill 490 expands the list of individuals prohibited from providing child care for five years to include those who have a suspended certification, registration, or enrollment in the registry and those whose certification or registration has been revoked or denied under specified circumstances. The measure permanently prohibits individuals from providing child care or enrolling in the registry who are required to report as sex offenders or who have been the subject of a substantiated report of child abuse in which the victim suffered serious harm or death in any state. Senate Bill 490 also requires individuals who have been the subject of a founded or substantiated report of child abuse to apply and enroll in the registry prior to providing child care and requires the OCC to remove individuals from the registry who are prohibited from enrolling. Finally, the measure authorizes the OCC to impose civil penalties for violations.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment

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### [Senate Bill 491](#)

Effective Date: January 1, 2020

#### Housing for Individuals with Developmental Disabilities

**Chief Sponsors:** Sen. Gelser; Reps. Piluso, Stark

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Community Housing Trust, administered by the Department of Human Services (DHS) and commonly referred to as the Fairview Trust, was established in 1999 through Senate Bill 405. It was funded through the sale of land following closure of the Fairview Training Center in 2000, where intellectually and developmentally disabled persons had been institutionalized since 1908. The majority of sale proceeds used to fund the Fairview Trust (95 percent) are currently required to be held in an interest-bearing account in perpetuity. The remaining five percent of sale proceeds, plus interest on the corpus of the trust, are required to be used to support community housing for individuals with intellectual or developmental disabilities.

**Bill Summary:** Senate Bill 491 transfers unobligated Fairview Trust funds and the responsibility to use said funds for Fairview Trust purposes to the Oregon Community Foundation (Foundation). The measure also directs the Foundation to report to DHS annually concerning the use of funds and the remaining balance, and to pay DHS for any unauthorized expenditures. Finally, Senate Bill 491 directs the Oregon Council on Developmental Disabilities to appoint an advisory committee to advise and consult with the Foundation in making expenditures and includes requirements for representation on the advisory committee.

**Oregon Laws 2019:** Chapter 551

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### [Senate Bill 492](#)

**Effective Date: June 27, 2019**

#### **Support for Parents with Disabilities**

**Chief Sponsors:** Sen. Gelser

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** It is the current policy of the State of Oregon to provide appropriate reunification services to parents and guardians to support the safe return of their children in most situations.

**Bill Summary:** Senate Bill 492, allowing for some necessary differences, extends the same opportunity to benefit from, or participate in, reunification services to parents and guardians with disabilities.

**Oregon Laws 2019:** Chapter 514

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### [Senate Bill 493](#)

**Effective Date: January 1, 2020**

#### **Oregon Human Rights Commission**

**Chief Sponsors:** Sen. Gelser; Rep. Piluso

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

**Background and Current Law:** The federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 provides funding for the creation of councils at the state level to advocate for and protect individuals with disabilities. In matters of alleged rights violations, the Department of Human Services (DHS) is currently required to promote dispute resolution. Senate Bill 834 (2017) directed DHS to develop a proposal for the creation of an independent human rights commission dedicated to the dignity and basic rights of individuals with intellectual and developmental disabilities. DHS convened a work group and collaborated on a proposal that included goals and purposes for a human rights commission distinct from existing work groups, systems, processes, and stakeholder groups. Senate Bill 493 is the result of the DHS work group process.

**Bill Summary:** Senate Bill 493 establishes the Oregon Human Rights Commission (Commission) within DHS to safeguard the dignity and basic human rights of individuals who have an intellectual or developmental disability. The measure specifies membership of the Commission and directs it to establish a statewide regional advisory committee system to conduct informational hearings concerning violations of the rights of individuals who have an intellectual or developmental disability. The measure also requires the Commission to receive reports of rights violations and authorizes it to request and receive information relevant to complaints.

**Oregon Laws 2019:** Chapter 296

### [Senate Bill 653](#)

Not Enacted

#### Investigations of Reports of Suspected Child Abuse and Parental Rights

**Chief Sponsors:** Sens. Boquist, Linthicum

**At the request of:** Brittany Ruiz

**Committees:** Senate Human Services

**Background and Current Law:** According to the Department of Human Services (DHS), a total of 84,233 reports of suspected child abuse were made in federal fiscal year 2018 (October 1, 2017 to September 30, 2018) and of them, 36,460 were investigated. Children who cannot safely remain at home enter foster care, and 3,579 children entered foster care in federal fiscal year 2018.

**Bill Summary:** Senate Bill 653 would have prohibited DHS from disclosing unfounded records and reports related to child abuse investigations to certain entities. It would have also required DHS, hospitals, and other entities to record any interviews with a parent or child regarding allegations of abuse and to make the recordings available to the parent, child, or their attorneys. The measure would have directed law enforcement to provide a copy of the report to the person making the report and the alleged victim within seven days of completion. Senate Bill 653 would have directed DHS to obtain the consent of the parent, guardian, or juvenile court prior to giving certain medical care or a haircut to a child in protective custody under 14 years of age.

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### [Senate Bill 669](#)

Effective Date: January 1, 2020

#### In-Home Assistance with Daily Living Activities

**Chief Sponsors:** Sen. Monnes Anderson

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** An in-home care agency provides services necessary to assist individuals with daily needs. In-home care agencies must obtain a license from the Oregon Health Authority (OHA) prior to providing services, and licenses must be renewed annually. As part of the licensing and renewal process, OHA is required to conduct on-site inspections of services provided by each in-home care agency once every three years.

**Bill Summary:** Senate Bill 669 makes changes to the licensing, inspection, and regulation of in-home care agencies. The measure directs OHA to establish training requirements for the workers who provide in-home care services and authorizes OHA to deny or revoke the license of an in-home care agency for failure to comply with the training requirements or employment and wage laws. The measure also accelerates OHA's on-site inspection cycle of in-home care agencies from once every three years to once every two years.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment

### [Senate Bill 707](#)

Effective Date: September 29, 2019

#### Youth Suicide Intervention and Prevention Advisory Committee

**Chief Sponsors:** Sen. Gelser

**Committees:** Senate Human Services, House Health Care

**Background and Current Law:** According to the Oregon Health Authority (OHA), suicide was the second leading cause of death among 10- to 24-year-olds in Oregon in 2016. There were 97 youth suicides in 2014. House Bill 4124 (2014) mandated a five-year Youth Suicide Intervention and Prevention Plan and created the position of Youth Suicide Intervention and Prevention Coordinator within OHA.

**Bill Summary:** Senate Bill 707 establishes a Youth Suicide Intervention and Prevention Advisory Committee to advise OHA on suicide intervention and prevention for 10- to 24-year-olds. The measure requires OHA to provide staffing and appoint specified members that reflect cultural, linguistic, geographic, and economic diversity. The measure also directs the Youth Suicide Intervention and Prevention Coordinator to consult with the advisory committee to update the Youth Suicide Intervention and Prevention Plan, and to include recommendations for administrative and legislative changes to address service gaps in the Coordinator's annual report to the Legislative Assembly.

**Oregon Laws 2019:** Chapter 341

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### [Senate Bill 727-A](#)

**Not Enacted**

#### Supplemental Nutrition Assistance Program

**Chief Sponsors:** Sen. Roblan; Reps. Stark, Marsh

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Supplemental Nutrition Assistance Program (SNAP) is a federally funded program which offers nutrition assistance to low-income individuals and families. In January 2019, the Department of Human Services (DHS) provided SNAP benefits to 355,628 families for a total of 609,327 individuals. According to the Food and Nutrition Service of the US Department of Agriculture, there are currently 3,327 Oregon retailers participating in the SNAP program.

**Bill Summary:** Senate Bill 727-A would have appropriated \$3 million from the General Fund to DHS to contract with a nonprofit organization to implement and administer a program for SNAP benefit recipients to help them purchase locally grown fruits and vegetables from participating farmer's markets, farm share sites, and food outlets. The measure would have required the nonprofit to provide low-income populations with greater access to fresh, locally grown foods and would have established relationships with participating sellers. Senate Bill 727-A also would have required the program to match amounts spent on eligible foods and directed the contracted nonprofit to review program outcomes, including the impact on the purchase of locally grown fruits and vegetables, and report its findings no later than December 31, 2021.

### [Senate Bill 737](#)

Not Enacted

#### Tax Exemptions for Affordable Housing

**Chief Sponsors:** Sen. Manning Jr

**Committees:** Senate Human Services, Joint Tax Expenditures

**Background and Current Law:** Across Oregon and the nation, property tax abatement is used by local governments as a tool to encourage the development of affordable housing. This tax exemption helps expand the number of housing units that are available and supports extending affordable rents to low-income residents. There are several criteria that jurisdictions may elect that developers must meet in order to receive abatement, such as: the occupants of the housing have low-income, as defined; lands being held must be designated for development as low income housing; the housing must be rental housing; the developer must be a nonprofit or tax-exempt entity or, if not, the benefit of the property tax savings must be reflected in lower rent. In 2018, House Bill 4028 extended the sunset of the property tax exemption for newly constructed low-income rental housing from January 1, 2010 to July 1, 2020.

**Bill Summary:** Senate Bill 737 would have extended the sunset of the property tax exemption for low-income rental housing to July 1, 2030.

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### [Senate Bill 745-A](#)

Not Enacted

#### Access to Transition Services for Foster Youth

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

**At the request of:** Oregon Foster Youth Coalition

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** The Independent Living Program (ILP) provides training and classes to youth in foster care to prepare them to live independently. According to the Department of Human Services (DHS), there are currently 39 ILP providers, and 1,357 youth received ILP services in 2017. Current law requires DHS to ensure that case planning for foster youth who have reached age 14 addresses their needs and goals for a successful transition to adulthood.

**Bill Summary:** Senate Bill 745-A would have required DHS to conduct annual in-person case planning meetings with every foster youth age 14 or older. The measure would have required DHS to inform them about their eligibility for ILP services and provide access to transition services during case planning meetings. The measure would have appropriated \$8,500,000 General Fund dollars to DHS for ILP services for eligible foster youth.



### [Senate Bill 790](#)

Not Enacted

#### Individual Development Accounts

**Chief Sponsors:** Sens. Gelser, Knopp; Reps. Lively, McLane

**Committees:** Senate Human Services, Joint Tax Expenditures

**Background and Current Law:** The Oregon Investment Account Initiative was created in 1999. It aims to alleviate poverty by matching funds in savings accounts, called individual development accounts (IDAs), with funds drawn from various private resources. To qualify for an individual development account and participate in the initiative, an applicant's household must fit within the definition of "lower income." Oregon Housing and Community Services and the Department of Revenue provide oversight.

**Bill Summary:** Senate Bill 790 would have increased the amount of the tax credit up to 100 percent of a taxpayer's donation to fiduciary organizations for distribution to IDAs and raised the total amount available for tax credits to \$15 million.

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### [Senate Bill 795-A](#)

Not Enacted

#### Oregon Deaf and Hard of Hearing Program

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

**Committees:** Senate Health Care, Joint Ways and Means

**Background and Current Law:** The Department of Human Services' Oregon Deaf and Hard of Hearing Services Program (ODHHS) is a resource for all Oregonians, aimed at improving the quality of life for deaf and hard of hearing people and their families. ODHHS coordinates requests for sign language interpreter/real-time captioner services. In 2016, ODHHS issued the "Community-Based Needs Assessment of Oregon's Deaf and Hard of Hearing Communities" that included 12 findings for consideration to improve services for Oregon's deaf and hard of hearing communities.

**Bill Summary:** Senate Bill 795-A would have expanded and clarified the responsibilities of the ODHHS.



### [Senate Bill 804](#)

Effective Date: May 24, 2019

#### Child Abuse Reporting Requirements

**At the request of:** Senate Committee on Human Services

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

**Background and Current Law:** When the Department of Human Services (DHS) or a law enforcement agency receive information about suspected child abuse, they are currently required to notify each other in the county where the report was received.

**Bill Summary:** Senate Bill 804 requires DHS to notify the law enforcement agency in the county where the abuse allegedly occurred, where the child resides, or where the reporter came into contact with the child or alleged perpetrator, rather than in the county where the report was received. The measure also requires law enforcement agencies to notify DHS of reports of suspected child abuse using the child abuse reporting hotline.

**Oregon Laws 2019:** Chapter 181

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### [Senate Bill 809](#)

Effective Date: January 1, 2020

#### Fitness Determinations for Providing Direct Care Services

**Chief Sponsors:** Sen. Gelser; Rep. Gorsek

**Committees:** Senate Human Services, Senate Rules, Joint Ways and Means, House Rules

**Background and Current Law:** Oregon law prohibits using public funds to employ individuals with certain criminal histories in capacities that involve direct contact with recipients of support services or residential care. The Department of Human Services (DHS), the Oregon Health Authority (OHA), home health agencies, and in-home care agencies conduct background checks on employees of residential facilities, adult foster homes, workers registered with the Home Care Commission, providers and volunteers in contact with patients in home health and in-home care agencies, and any individual paid by public funds who is in contact with recipients of support services or residential care. DHS and OHA are also required to notify employers and employees in writing of any records of substantiated abuse committed by an employee of a home health agency, in-home care agency, adult foster home, or residential facility, regardless of whether criminal charges were filed.

**Bill Summary:** Senate Bill 809 requires DHS and OHA to adopt rules with specified conditions prescribing criteria for fitness determinations about individuals who provide direct care services. The measure also provides due process via contested case hearings for individuals to challenge fitness evaluations. Senate Bill 809 requires DHS and OHA to conduct a fitness determination for any employee or potential employee of specified entities who has a record of substantiated abuse and to notify employers of the outcome.

**Oregon Laws 2019:** Chapter 517

### [Senate Bill 813](#)

Effective Date: June 6, 2019

#### Investigations of Child Care Facilities

**Chief Sponsors:** Sen. Gelser

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

**Background and Current Law:** Child care providers must be licensed, registered, or certified with the Office of Child Care (OCC) within the Early Learning Division (ELD) of the Department of Education. Child care facilities include day nurseries, nursery schools, child care centers, certified or registered family child care homes, or similar entities that care for children operating under any name. All child care staff and any individual who may have unsupervised access to children (e.g., adults living in the home, volunteers, maintenance staff, and office staff) are subject to a background check and are required to enroll in the Central Background Registry maintained by the OCC. The OCC is authorized to conduct on-site investigations of child care facilities if illegal child care is alleged and to conduct such investigations if there is a serious complaint.

**Bill Summary:** Senate Bill 813 requires the OCC to make reasonable attempts to identify any facility about which it receives a complaint if the complaint includes enough detail to determine the identity of a child, provider, owner, operator, employee, or specific information about the facility itself. The measure also allows the Early Learning Council, which oversees the ELD, to adopt a definition of "serious complaint" by rule and requires the definition to include notifications or reports of alleged child abuse received by the OCC.

**Oregon Laws 2019:** Chapter 266

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### [Senate Bill 814](#)

**Not Enacted**

#### Voluntary Adoption Options

**Chief Sponsors:** Sen. Gelser

**Committees:** Senate Human Services

**Background and Current Law:** The Permanency Program within the Department of Human Services (DHS) facilitates the selection and finalization of adoption and guardianship as permanency options for children in foster care when it is no longer in their best interest to return to the care of their biological parents. DHS also provides regulatory oversight and processing of all adoptions filed in Oregon for children who are placed in voluntary adoption. A closed adoption means that there is no contact between the birth family and the adoptive family, and an open adoption means that the birth family and the adoptive family meet and often remain in each other's lives.

**Bill Summary:** Senate Bill 814 would have directed DHS to provide information about voluntary adoption options to parents or legal guardians prior to the termination of their parental rights. The measure would have prohibited DHS from referring a parent or a legal guardian to the same social worker assigned to a prospective adoptive parent. It also would have required notice prior to taking an infant up to 30 days old into protective custody. Finally, Senate Bill 814 would have modified authority of licensed child-caring agencies to place children in foster or adoptive homes to include the required notice.

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### [Senate Bill 832](#)

Effective Date: July 15, 2019

#### Critical Incident Review Teams

**Chief Sponsors:** Sens. Gelser, Wagner; Rep. Stark

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** Oregon law requires the Department of Human Services (DHS) to assign a Critical Incident Review Team (CIRT) to investigate certain cases within 24 hours of determining that a child may have died from abuse or neglect. A CIRT's primary goal is to review the case and develop recommendations to improve the child welfare system and prevent future incidents. A CIRT is assigned if the fatality occurred when the child was in DHS custody, or when the child was the subject of a recent child protective services assessment. According to DHS, 14 CIRTs were assigned in 2018 and seven were assigned in 2017.

**Bill Summary:** Senate Bill 832 declares the purpose of CIRTs and directs DHS to assign a CIRT upon becoming aware of a critical incident as defined in the measure. The measure modifies the composition of CIRTs to allow a local citizen review board member as well as a legislator to be included. Senate Bill 832 also requires every CIRT to submit a final written report to DHS and requires reports to contain specified information. The measure directs DHS to publish certain information regarding the CIRT, as well as its report, on its website. Senate Bill 832 allows DHS to redact the final report only to the extent necessary to comply with state and federal laws governing confidential information.

**Oregon Laws 2019:** Chapter 555

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### [Senate Bill 833](#)

**Not Enacted**

[\(see Senate Bill 994\)](#)

#### Releasing Children from Protective Custody

**Chief Sponsors:** Sen. Gelser

**Committees:** Senate Human Services

**Background and Current Law:** A child may be taken into protective custody when: the child's conditions or surroundings reasonably appear to jeopardize the child's welfare; a court has ordered that the child be taken into protective custody; or, when it reasonably appears that the child has run away from home. Unless a court has ordered that the child be taken into protective custody, or if the welfare of the child or others may be jeopardized, the child must be released to the custody of their parent or other responsible person.

**Bill Summary:** Senate Bill 833 would have defined a noncustodial parent as a relative caregiver subject to criminal records checks prior to releasing a child from protective custody into their care. The measure was modified and included in Senate Bill 994.

### [Senate Bill 905](#)

Effective Date: July 1, 2019

#### **Foster Children School District Assignment**

**At the request of:** Senate Committee on Education

**Committees:** Senate Education, Senate Rules, House Rules

**Background and Current Law:** In 2017, 7,831 Oregon children were in foster care on an average daily basis. A child may enter foster care through an involuntary or voluntary placement. Oregon law provides that a child with involuntary placement should attend their original school unless it is in the best interest of the child to enroll in another school district. In the case of a voluntary placement, Oregon law is silent on where the child should go to school.

**Bill Summary:** Senate Bill 905 creates a general rule that children who are voluntarily placed with a public or private agency by their parent or guardian are to attend school in the district in which they are placed. The bill provides an exception to allow children to attend school in the district where their parents or guardians reside when the placement is within 20 miles of the school, a plan exists for the child to return home, it is in the best interests of the child to attend the school, and the child would prefer to remain in the school district.

**Oregon Laws 2019:** Chapter 561

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### [Senate Bill 917](#)

Effective Date: January 1, 2020

#### **Disclosures of Information by Providers of Care**

**Chief Sponsors:** Sen. Gelser; Rep. Lively

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

**Background and Current Law:** Reports of abuse or mistreatment by a medical provider can be made to the Oregon Medical Board, and reports regarding long term care providers can be made to the Long Term Care Ombudsman. Similarly, the Residential Facilities Ombudsman investigates complaints for individuals living in homes licensed or certified for intellectual and/or developmental disabilities or mental health conditions, and reports of suspected child abuse may be made to the Department of Human Services hotline. If criminal conduct is suspected, it may also be reported to law enforcement.

**Bill Summary:** Senate Bill 917 prohibits employers who provide care to children, youth, individuals with disabilities, or older adults, from interfering with employees' good faith disclosures of information regarding abuse or mistreatment, violations of licensing or certification, criminal activity, violations of state or federal laws, or practices threatening the health and safety of recipients of care. The measure specifies actions that constitute interference with such disclosures and deems such interference an unlawful employment practice. Senate Bill 917 also authorizes the revocation or suspension of permission to operate a facility providing care and permits civil penalties for violations.

**Oregon Laws 2019:** Chapter 381

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### [Senate Bill 918](#)

Effective Date: January 1, 2020

#### Notifications of Youth Suicides

**Chief Sponsors:** Sens. Gelser, Wagner

**Committees:** Senate Human Services, House Health Care

**Background and Current Law:** According to the Oregon Health Authority (OHA), suicide was the second leading cause of death among 10- to 24-year-olds in Oregon in 2016. Senate Bill 561 (2015) directed OHA to develop a plan for improved communication and data sharing about youth suicide and to be a central resource for local mental health authorities. The resulting communication plan involves OHA providing technical assistance and resources to each local mental health authority regarding local pathways, sharing information, and responding to suspected youth suicides. The plan requires local mental health authorities to inform OHA of supportive actions for individuals affected by suspected youth suicides within seven days of each death.

**Bill Summary:** Senate Bill 918 expands on the information sharing about youth suicide by directing local mental health authorities to notify other local entities that have had contact with a person aged 24 or younger who is suspected to have committed suicide, if the local health authority was informed of the death by a third party. Entities include public or private schools and universities, county juvenile departments, community developmental disabilities programs, child welfare agencies, substance use disorder programs, and any other organization or person identified as being necessary to receive the notification. Senate Bill 918 requires the notification to include the name, date of birth, and date of death, and other information not otherwise protected from public disclosure, and includes a definition of "third-party notification."

**Oregon Laws 2019:** Chapter 471

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### [Senate Bill 921](#)

Not Enacted

#### Mandatory Reporters of Child Abuse

**Chief Sponsors:** Sens. Hansell, Manning Jr.

**Committees:** Senate Human Services, Senate Judiciary

**Background and Current Law:** Oregon law specifically lists individuals who are required to report abuse as "mandatory reporters." Senate Bill 622 (2015) included home care workers and personal support workers on the list of mandatory reporters. Other mandatory reporters include physicians, dentists, school employees, health care professionals, members of the clergy, attorneys, and child care providers. Computer technicians and individuals who process photographic images are required to report sexually explicit content they discover that involves children. Reports of this kind must be made to law enforcement, the National Center for Missing and Exploited Children via its CyberTipline, or to the Department of Human Services (DHS).

**Bill Summary:** Senate Bill 921 would have added hotelkeepers and innkeepers to the list of mandatory reporters. The measure also would have required computer technicians and individuals who process photographic images to immediately report sexually explicit content involving children to law enforcement, the CyberTipline, and DHS in the manner required pursuant to Oregon's mandatory reporting laws.

### [Senate Bill 924](#)

Effective Date: June 13, 2019

#### Placements for Children and Youth in Protective Custody

**Chief Sponsors:** Sen. Manning Jr.

**Committees:** Senate Human Services, Senate Judiciary, House Judiciary

**Background and Current Law:** A child may be taken into protective custody when: the child's conditions or surroundings reasonably appear to be such as to jeopardize the child's welfare; the juvenile court has ordered that the child be taken into protective custody; or, it reasonably appears that the child has run away from home. Children who are placed in substitute care, children who have run away, and youth offenders can all be taken into protective custody. Shelter care is a home or other facility suitable for the safekeeping of a child taken into temporary custody, and detention is a placement for the detention of children pursuant to a judicial commitment or order. Current law allows children in protective custody to be placed in shelter care or detention facilities.

**Bill Summary:** Senate Bill 924 modifies the juvenile code to clarify that children taken into protective custody in dependency cases and Oregon children who have run away from home cannot be placed in detention facilities. It also clarifies that out-of-state runaways must be placed in the least restrictive setting, which may include detention. Finally, it requires counties to report to the Youth Development Council the frequency and duration for which runaways and youth offenders are placed in detention.

**Oregon Laws 2019:** Chapter 382

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### [Senate Bill 938](#)

Not Enacted

#### Funding Construction of Veterans' Home

**Chief Sponsors:** Sen. Heard; Reps. Evans, Leif

**Committees:** Senate Veterans and Emergency Preparedness, Joint Ways and Means

**Background and Current Law:** There are currently two Veterans' Homes in Oregon that provide qualifying veterans with long term care: one in The Dalles and one in Lebanon. Oregon law provides for two more. Admittance to a Veterans' Home is a benefit that honorably discharged veterans have earned, that extends to their spouses and to the parents of individuals who died serving in the US Armed Forces.

**Bill Summary:** Senate Bill 938 would have authorized the State Treasurer to issue general obligation bonds under Article XI-Q of the Oregon Constitution to produce \$17.5 million in net proceeds for the Oregon Department of Veterans' Affairs (ODVA) to construct a veterans' home in Roseburg, Oregon.

### [Senate Bill 964-A](#)

Not Enacted

#### **Strong Families, Resilient Neighborhoods**

**Chief Sponsors:** Sen. Winters; Reps. Boles, Evans

**Committees:** Senate Human Services, Joint Tax Expenditures

**Background and Current Law:** Recent research by the Oregon Health and Science University revealed Oregon neighborhoods where children were ten times more likely to experience maltreatment and enter substitute care. Strong Families, Resilient Neighborhoods is a community-based project in Marion County designed to promote the positive development of children, strengthen families, and build resilient neighborhoods by integrating health care, supportive affordable housing, early learning education, and social services.

**Bill Summary:** Senate Bill 964-A would have directed the Department of Human Services to establish and collaborate with an advisory committee to create a pilot program in at least three regions of the state, and offer a tax credit to encourage specified contributions that support the achievement of stated goals and the development of strategies for targeted communities and populations.

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### [Senate Bill 994](#)

Effective Date: January 1, 2020

[\(see Senate Bill 833\)](#)

#### **Releasing Children from Protective Custody**

**At the request of:** Senate Committee on Judiciary

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** A child may be taken into protective custody when: the child's conditions or surroundings reasonably appear to jeopardize the child's welfare; a court has ordered that the child be taken into protective custody; or when it reasonably appears that the child has run away from home. Unless a court has ordered that the child be taken into protective custody, or if the welfare of the child or others may be jeopardized, the child must be released to the custody of their parent or other responsible person.

**Bill Summary:** Senate Bill 994 requires the person who receives the child into protective custody to request a criminal records check from the Department of Human Services (DHS) on the noncustodial parent and all adults in the home prior to releasing the child to the noncustodial parent. The measure also requires DHS to comply with such requests and adopt rules consistent with the requirements of the Department of State Police for use of the Law Enforcement Data System.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment



### [Senate Bill 1035-A](#)

Not Enacted

#### Services and Supports for Unpaid Caregivers

**At the request of:** Senate Committee on Human Services

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** Many people in need of care or assistance prefer to receive services at home for as long as possible. Often, this is also the most cost-effective and best option for those patients.

**Bill Summary:** Senate Bill 1035-A would have required the Oregon Health Authority (OHA), in collaboration with the Department of Human Services (DHS) and an advisory committee convened by DHS, to design a limited benefits package for low-income individuals age 55 or older who have a chronic illness or disabling condition, or under age 55 who have been diagnosed with dementia. The benefits package would have included up to \$500 per month in supports or services for unpaid caregivers, as well as services appropriate to maintain the recipient's current level of in-home care. The measure would have required an application for approval from the Centers for Medicare and Medicaid Services to secure federal financial participation.

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### [Senate Bill 1036](#)

Not Enacted

#### Ombudsmen and Advocates

**At the request of:** Senate Committee on Human Services

**Committees:** Senate Human Services, Joint Ways and Means

**Background and Current Law:** An ombudsman is an official appointed to advocate on behalf of others and investigate complaints. The Office of the Long Term Care Ombudsman (LTCO) is an independent state agency that serves long term care facility residents through complaint investigation, resolution, and advocacy for improvements in care. The mission of the LTCO is to enhance the quality of life, improve the level of care, protect the individual's rights, and promote the dignity of each person residing in a long term care facility. Within the LTCO is the Long Term Care Ombudsman, the Oregon Public Guardian and Conservator, and the Residential Facilities Ombudsman.

**Bill Summary:** Senate Bill 1036 would have established a Foster Child Ombudsman and a Foster Parent Ombudsman, as well as an Office of Oregon Ombudsmen and Advocates to provide administrative support to all ombudsmen offices, including the Long Term Care Ombudsman, Residential Facilities Ombudsman, and the Oregon Public Guardian and Conservator. The measure would have modified the duties and powers of the Long Term Care Ombudsman, Residential Facilities Ombudsman, and the Oregon Public Guardian and Conservator, and allowed ombudsmen access to records necessary to investigate complaints, subject to specific conditions. Senate Bill 1036 would have established advisory committees for LTCO and for the ombudsmen, and entitled members of advisory committees to compensation and expenses.



### [Senate Bill 1039](#)

Effective Date: January 1, 2020

## Health Care Advocates for Individuals with Intellectual or Developmental Disabilities

**Chief Sponsors:** Sen. Monnes Anderson

**Committees:** Senate Human Services, House Health Care

**Background and Current Law:** Oregon law allows individuals to designate a health care representative to make health care decisions when they are unable to direct their own care. An “advance directive” is a document that contains health care instructions and/or grants of authority, such as designating a representative to make health care decisions, or power of attorney, on behalf of an incapacitated person. Life-sustaining health care decisions may be made on behalf of an incapacitated person with a terminal condition, pursuant to an advance directive and/or by authorized individuals, such as a guardian, appointed or designated health care representative, the person's spouse, the person's parent or adult child, and/or attending health care providers.

**Bill Summary:** Senate Bill 1039 authorizes the appointment of a health care advocate to make health care decisions for someone who has an intellectual or developmental disability, who receives services through an individualized written service plan, and who does not have a guardian or a health care representative. The measure specifies appointment requirements, restrictions on the scope of decision making, and the rights of the patient for whom the health care advocate has been appointed.

**Oregon Laws 2019:** Chapter 447

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### [House Bill 2032-B](#)

Not Enacted

## Temporary Assistance for Needy Families Pilot Programs

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

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

**Background and Current Law:** The Temporary Assistance for Needy Families (TANF) program provides cash assistance to low-income families with children. Cash assistance is intended to help meet a family's basic needs for items such as food, clothing, shelter, and utilities. Most cash benefits in Oregon are issued via an Electronic Benefit Transfer card, known as the Oregon Trail Card.

**Bill Summary:** House Bill 2032-B would have created pilot programs to support TANF recipients including a housing pilot, a mental health and behavioral health pilot, and an education and training pilot. The measure set out goals, eligibility criteria, procedures, expectations, and reporting requirements for each pilot.

### [House Bill 2033](#)

Effective Date: January 1, 2020

#### Educational Requirements for Child Welfare Caseworkers

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

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

**Background and Current Law:** The Department of Human Services (DHS) houses the child abuse investigation and intervention (also known as child protective services or CPS), foster care, and adoption assistance programs. CPS-trained caseworkers across the state listen to reports of abuse, assess situations, and prepare safety plans to assist children and families. CPS staff work closely with law enforcement agencies and other members of multidisciplinary teams in each county to assess child abuse reports. CPS and law enforcement agencies have a shared legal responsibility for taking child abuse reports and responding to them.

**Bill Summary:** House Bill 2033 reduces minimum educational requirements for child welfare caseworkers from a bachelor's degree to an associate degree plus additional training related to the field of human services, and mandates that caseworkers who have a degree in a field that is not human-services related must complete sufficient human services-related coursework and training as determined by rule.

**Oregon Laws 2019:** Chapter 153

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### [House Bill 2131](#)

Not Enacted

#### Employment-Related Dependent Care Expenses

**At the request of:** House Interim Committee on Revenue

**Committees:** House Human Services and Housing

**Background and Current Law:** The purpose of the Working Family Household and Dependent Care Credit (WFHDC) is to help low to moderate-income families pay for dependent care while they are working or looking for work. To qualify, the taxpayer's adjusted gross income must be less than the limit set for the household size, and the taxpayer must have qualifying household or dependent care expenses. A qualifying dependent can include a child under the age of 13, a disabled spouse, or another disabled person in certain circumstances.

**Bill Summary:** House Bill 2131 would have modified the income limits for joint tax filers for the Working Family Household and Dependent Care Credit and prescribed the amount of expenses for which the credit could be claimed.

### [House Bill 2139](#)

**Not Enacted**

[\(see House Bill 2164-A\)](#)

#### **Earned Income Tax Credit Extension**

**At the request of:** House Interim Committee on Revenue

**Committees:** House Human Services and Housing

**Background and Current Law:** The Earned Income Tax Credit (EITC) benefits working people with low to moderate incomes, particularly those with children, by reducing the amount of tax owed and potentially providing a refund.

**Bill Summary:** House Bill 2139 would have extended the sunset for the Earned Income Tax Credit from 2020 to 2026.

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### [House Bill 2151](#)

**Not Enacted**

[\(see House Bill 2452\)](#)

#### **Homestead Property Tax Deferral Extension**

**At the request of:** House Interim Committee on Revenue

**Committees:** House Human Services and Housing, House Revenue

**Background and Current Law:** Qualified disabled or senior citizens who own and occupy their principal dwellings (with some exceptions) can borrow money at six percent interest from the State of Oregon to pay their property taxes. The Oregon Department of Revenue administers this program and becomes a security interest holder until the loan is repaid in full, usually from proceeds upon sale of the property.

**Bill Summary:** House Bill 2151 would have extended the sunset on the homestead property tax deferral program for seniors and people with disabilities from 2021 to 2031.

### [House Bill 2245](#)

Not Enacted

#### Temporary Assistance for Needy Families Savings Reinvestments

**At the request of:** House Interim Committee on Early Childhood and Family Supports

**Committees:** House Human Services and Housing

**Background and Current Law:** The Temporary Assistance for Needy Families program (TANF) provides cash assistance to low-income families with children while they strive to become self-sufficient. Cash assistance is intended to meet a family's basic needs for items such as food, clothing, shelter and utilities. Most cash benefits in Oregon are issued via an Electronic Benefit Transfer (EBT) card. This is also known as the Oregon Trail Card. There are different programs within the Job Opportunity and Basic Skills program (JOBS). Most people who receive TANF are required to participate in the JOBS program, which provides activities and components tailored to help individuals achieve self-sufficiency.

**Bill Summary:** House Bill 2245 would have required the Department of Human Services (DHS) to use any savings in TANF resulting from policy changes, improvement of the economy, or other factors, to increase the amount of cash grants paid to participating families or increase investments in the Job Opportunity and Basic Skills program.

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### [House Bill 2310-A](#)

Not Enacted

#### Prosperity 1,000 Pilot Program

**Chief Sponsors:** Reps. Reardon, G Smith

**Committees:** House Economic Development, Joint Ways and Means

**Background and Current Law:** Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) is a federal program administered by the US Department of Agriculture that supports employment and training activities for individuals and families who are receiving SNAP food benefits. SNAP E&T provides the flexibility to combine education, training, and support services for low-income and low-skilled people. In addition to receiving formula-based SNAP E&T program grants, states may request additional reimbursement grants such as SNAP 50/50 for innovative direct program expenses and wrap-around support services. State, local, or philanthropic sources must fund 50 percent of the total cost in order to be eligible for the 50 percent federal reimbursement.

**Bill Summary:** House Bill 2310-A would have established the Prosperity 1,000 Pilot Program to provide career coaching, occupational training, and job placement services for at least 1,000 low-income job seekers who reside in areas of concentrated poverty across the state. Local workforce development boards would have administered the program in partnership with the Department of Human Services and State Workforce and Talent Development Board.

### [House Bill 2332-A](#)

Not Enacted

#### Oregon Child Foster Care Advisory Commission

**Chief Sponsors:** Rep. Stark; Sen. Gelser

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

**Background and Current Law:** In 2016, House Bill 4080 established the Oregon Child Foster Care Advisory Commission to study issues within the Oregon foster care system and advise the Governor and the Department of Human Services (DHS) on those issues and create accountability.

**Bill Summary:** House Bill 2332-A would have appropriated General Funds to the Governor's Child Foster Care Advisory Commission for compensation and reimbursement for travel and other expenses, modified membership, and required DHS to provide staff support.

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### [House Bill 2337](#)

Not Enacted

#### Foster Parent Ombudsman

**Chief Sponsors:** Rep. Stark; Sen. Gelser

**Committees:** House Human Services and Housing

**Background and Current Law:** An ombudsman is an official appointed to answer customer questions and investigate complaints regarding state program administration and practices. There are various state Ombudsmen positions, located in different agencies, designed to serve different populations. Those positions include ombudsmen for: long term care, self-sufficiency programs, aging and disability programs, child welfare, and children in foster care.

**Bill Summary:** House Bill 2337 would have established the Foster Parent Ombudsman (Ombudsman) within the Department of Human Services (DHS) and appointed by the Governor. The measure prescribed duties including assisting foster parents and maintaining a foster parent hotline. It would have provided immunity from liability for foster parents acting in good faith and allowed the Ombudsman to appoint local representatives.

### [House Bill 2346](#)

Effective Date: July 23, 2019

#### Task Force on Access to Quality Affordable Child Care

**Chief Sponsors:** Rep. Power

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

**Background and Current Law:** A 2018 study by the Oregon Child Care Research Partnership at Oregon State University found that 12 percent of infants and toddlers in Oregon have access to a regulated child care slot.

**Bill Summary:** House Bill 2346 establishes a 17-member Task Force on Access to Quality Affordable Child Care to study why eligible families are not using child care subsidies and to make recommendations on how to encourage eligible families to use the subsidies. The measure appropriates \$235,857 from the General Fund to the Early Learning Division to study and prepare a report on existing child care subsidy programs in Oregon.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment

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### [House Bill 2348-A](#)

Not Enacted

#### Pilot Program to Improve Rural Access to Child Care

**Chief Sponsors:** Rep. Power

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

**Background and Current Law:** Oregon's Department of Human Services (DHS) operates the Employment-Related Day Care (ERDC) program, helping eligible low-income families pay for child care. ERDC is a subsidy program in which eligible families pay part of the cost for child care services. The subsidy depends on the family's income, size, and amount the child care provider charges. According to DHS, the ERDC seeks to improve the availability of quality child care in Oregon, and to develop resources for parents and child care providers.

**Bill Summary:** House Bill 2348-A would have created a pilot program in rural areas to improve access to and affordability of child care. The bill would have required DHS to meet federal recommendations for income eligibility and market access for employment-related child care and reduce subsidy recipient copayments to no more than seven percent of household income.

### [House Bill 2349](#)

Not Enacted

#### Child Care Provider Training Program

**Chief Sponsors:** Rep. Power

**Committees:** House Human Services and Housing

**Background and Current Law:** The Early Learning Division (ELD), part of the Oregon Department of Education, administers programs such as Oregon Pre-Kindergarten, Early Head Start, Great Start, Healthy Start, Relief Nurseries, and the new “mixed” delivery preschool program. ELD is also responsible for child care provider licensing, subsidies, monitoring, and training.

**Bill Summary:** House Bill 2349 would have established a statewide child care provider business training program to be implemented by ELD. The measure would have required that the program include training, technical assistance, guidance in providing culturally appropriate care, and outreach support. House Bill 2349 would have appropriated an unspecified amount of General Fund to ELD for small grants to assist child care providers in providing quality services.

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### [House Bill 2464](#)

Effective Date: September 29, 2019

#### Child Abuse Multidisciplinary Intervention Program

**At the request of:** House Interim Committee on Judiciary

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

**Background and Current Law:** The Child Abuse Multidisciplinary Intervention (CAMI) Program funds regional service providers to support multidisciplinary teams and child abuse intervention centers through: 1) assistance with difficult or complex child abuse medical assessments, 2) education, and 3) training.

**Bill Summary:** House Bill 2464 makes technical corrections regarding Child Abuse Multidisciplinary Intervention Programs, modifies relating terminology, expands eligible grant recipients, and directs the administrator of the program to establish, by rule, minimum facility standards and minimum forensic interview training standards consistent with national standards.

**Oregon Laws 2019:** Chapter 141

### [House Bill 2508-A](#)

Not Enacted

#### Funding for Refugee Resettlement Services

**Chief Sponsors:** Rep. Piluso

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

**Background and Current Law:** The Refugee Case Services Project (RCSP) is a public/private partnership between the Department of Human Services (DHS) and Refugee Resettlement Agencies (RRAs). For up to eight months after they arrive in the United States, the RCSP assists refugees in the Portland metropolitan area, since most refugees in Oregon initially resettle in that area. If a refugee resettles outside the Portland metropolitan area, they may seek assistance from programs administered by their local DHS office (including cash assistance and the Supplemental Nutrition Assistance Program (SNAP)), while referrals are made to locally contracted entities for employment services and to the Oregon Health Authority (OHA) for health insurance coverage.

**Bill Summary:** House Bill 2508-A would have appropriated \$2 million General Fund dollars to the Department of Human Services for refugee resettlement agency grants with \$200,000 of these funds distributed to a culturally responsible employment service provider selected by DHS.

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### [House Bill 2524](#)

Effective Date: May 14, 2019

#### Notification of Long Term Care Ombudsman Program

**Chief Sponsors:** Reps. Doherty, McKeown

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

**Background and Current Law:** The Long Term Care Ombudsman (LTCO) program is an independent state agency that serves long term care facility residents through complaint investigation, resolution, and advocacy for improvement in resident care. Program staff work with a statewide network of over 180 volunteers who work in their own communities. The services of the LTCO are free and available to residents, families, facility staff, and the general public. The Residential Facilities Ombudsman (RFO) program is also part of an independent state agency.

**Bill Summary:** House Bill 2524 requires long term care facilities, residential facilities, and adult foster homes to provide residents with information regarding the availability of the LTCO and its services.

**Oregon Laws 2019:** Chapter 117



### [House Bill 2568](#)

Effective Date: January 1, 2020

#### **Court Appointed Special Advocates Program Review**

**Chief Sponsors:** Reps. Nathanson, Stark

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

**Background and Current Law:** Court Appointed Special Advocates (CASA) are volunteers appointed by courts to advocate on behalf of abused and neglected children. They investigate, examine, and recommend the best options to a court for a child to be safe, have a permanent home, and to thrive. CASAs spend most of their time interviewing people involved in the child's life and the case, including teachers, foster parents, attorneys, caseworkers, counselors, parents, medical professionals, and family members to determine the facts and circumstances of the child's situation. CASA supervisors provide guidance and support to volunteers for the duration of each case. In 2017, the legislature passed House Bill 2600, transferring the CASA program from the Oregon Volunteers Commission for Voluntary Action and Service to the Department of Administrative Services (DAS).

**Bill Summary:** House Bill 2568 requires DAS to study CASA Volunteer Programs and make recommendations to the Legislative Assembly to address operational issues.

**Oregon Laws 2019:** Chapter 110

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### [House Bill 2569](#)

**Not Enacted**

#### **Long Term Care Registry, Universal Pin Number**

**Chief Sponsors:** Rep. Nathanson

**Committees:** House Human Services and Housing

**Background and Current Law:** Long term care refers to a wide range of services provided to help people who can no longer meet their own daily needs. Services can be provided in a person's home, helping the person stay independent and safe. People needing long term care can choose from a range of facility-based living options, including adult foster care homes, assisted living and residential care facilities, and nursing facilities. The Oregon Department of Human Services (DHS) regulates long term care facilities and long term care workers. Since 2015 DHS has operated the Long Term Care Registry (LTCR) as a tool for providing a ready-to-work registry of individuals eligible to work in long term care positions throughout the state of Oregon.

**Bill Summary:** House Bill 2569 would have directed DHS to assign exactly one universal pin number to each person listed on the Long Term Care Registry and would have provided direction on the utilization of long term care worker fingerprints. The measure would have prohibited the sharing of fingerprint cards and records of certain long term care and home care workers with the Federal Bureau of Investigation.

### [House Bill 2570](#)

Not Enacted

#### **Funding for Court Appointed Special Advocates (CASA)**

**Chief Sponsors:** Reps. Nathanson, G Smith, Noble, Stark; Sens. Hansell, Gelser

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

**Background and Current Law:** Court Appointed Special Advocates (CASA) are designated in every judicial proceeding in juvenile court, and in every case involving an abused or neglected child. They may be represented by an attorney, file pleadings, and request hearings, examine and cross-examine witnesses. They advocate for the child and operate at the court's discretion, and may investigate the case, bring matters to the court's attention, ensure that others fulfill their obligations to the child, and monitor court orders for compliance and modification.

**Bill Summary:** House Bill 2570 would have appropriated \$8.3 million from the General Fund to the Oregon Department of Administrative Services to support and expand the CASA Volunteer Program by recruiting and training a larger and more diverse group of advocates.

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### [House Bill 2608](#)

Not Enacted

#### **Employment-Related Day Care Program Payment Standards**

**Chief Sponsors:** Rep. Hayden

**Committees:** House Human Services and Housing

**Background and Current Law:** Oregon's Department of Human Services (DHS) operates the Employment-Related Day Care program (ERDC), which helps eligible low-income families pay for child care. The ERDC is a subsidy program in which eligible families still pay part of the cost for child care services, and the subsidy depends on the family's income, size, and amount the child care provider charges.

**Bill Summary:** House Bill 2608 would have created a standard for DHS payments to child care providers in counties where the unemployment rate is higher than the average unemployment rate for Oregon.

### [House Bill 2626-A](#)

Not Enacted

#### **Expansion of Special Supplemental Nutrition Program for Women, Infants and Children (WIC)**

**Chief Sponsors:** Rep. Sanchez

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

**Background and Current Law:** The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in Oregon is administered by the Oregon Health Authority (OHA). Federal grants through the United States Department of Agriculture Food and Nutrition Service provide supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk. WIC is not an entitlement program; rather, it is a federal grant program for which Congress authorizes a specific amount of funds each year.

**Bill Summary:** House Bill 2626-A would have expanded eligibility for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) to include mothers of children up to 12 months old.

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### [House Bill 2639-A](#)

Not Enacted

#### **Expansion of Special Supplemental Nutrition Program for Women, Infants and Children (WIC) to School Age Children**

**Chief Sponsors:** Rep. Sanchez

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

**Background and Current Law:** The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in Oregon is administered by the Oregon Health Authority (OHA). Federal grants through the United States Department of Agriculture Food and Nutrition Service provide supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk. WIC is not a federal entitlement program as Congress authorizes a specific amount of funds each year.

**Bill Summary:** House Bill 2639-A would have expanded eligibility of WIC to children five years of age or older who have not yet begun attending school per the attendance requirements in Oregon law.

### [House Bill 2771](#)

Not Enacted

#### International Custody Dispute Education Program for Judges

**Chief Sponsors:** Reps. McLain, Hernandez; Sens. Manning Jr., Gelser

**Committees:** House Human Services and Housing

**Background and Current Law:** To be a judge in Oregon, a person must be a member of the Oregon State Bar (OSB). OSB members must complete a minimum of 45 continuing legal education (MCLE) credit hours in each three-year reporting period. There are requirements for the type of credits that must be earned from subject areas that include: ethics, practical skills, access to justice, child abuse and elder abuse reporting, mental health / substance use, and access to justice. The MCLE rules are administered by the Board of Governors (BOG) of the OSB and may be modified by the BOG subject to approval by the Oregon Supreme Court. The Judicial and Leadership Education Committee and the Juvenile Court Improvement Program (both within the Oregon Judicial Department) plan and vet additional legal education opportunities specifically for judges.

**Bill Summary:** House Bill 2771 would have directed the State Court Administrator to implement an education program for state judges focused on issues that arise in international custody disputes.

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### [House Bill 2802-A](#)

Not Enacted

#### Grant Program to Assist Low-income Families with Unsafe Housing Conditions

**Chief Sponsors:** Rep. Marsh

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

**Background and Current Law:** Homes, particularly if poorly maintained, raise a number of health concerns ranging from lead-based paint, radon, and carbon monoxide poisoning, to mold from water leaks or excess moisture. Unintentional exposure and household injuries can result. Identifying and eliminating home health hazards can help individuals and families maintain health and wellness. Examples include proper weatherization, removal of lead-based paint, installation of smoke and radon detectors, and decluttering stairways and walkways. The Community Action Partnership of Oregon delivers federal antipoverty programs in Oregon, including the Community Services Block Grant, Low Income Energy Assistance Program, State Department of Energy Weatherization Program, and others.

**Bill Summary:** House Bill 2802-A would have appropriated \$15 million in General Fund dollars and established a grant program to assist low-income households with unsafe housing conditions through repair and rehabilitation, administered by Oregon Housing and Community Services (OHCS). The measure also required 50 percent of grants be distributed by the network of Community Action Agencies, created a program to address home health hazards, and authorized OHCS to make no-interest loans to eligible entities.

### [House Bill 2805](#)

Not Enacted

#### Task Force on Oregon Youth Aging out of Foster Care

**Chief Sponsors:** Reps. Boles, Helt

**Committees:** House Human Services and Housing

**Background and Current Law:** Youth aging out of foster care experience difficulties in finding stable and affordable housing and vulnerabilities from homelessness. Foster youth experience obstacles, such as family and educational instability, mental health issues, and lack of mentorship at a much higher rate than the general youth population. Foster youth aging out of foster care also have access to a limited amount of state resources.

**Bill Summary:** House Bill 2805 would have established the Oregon Youth Aging Out of Foster Care Task Force to develop recommendations for housing youth ages 16 to 22 as they age out of foster care.

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### [House Bill 2908-A](#)

Not Enacted

#### Oregon Project Independence Statewide Expansion Study

**Chief Sponsors:** Reps. Evans, Drazan

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

**Background and Current Law:** Oregon Project Independence (OPI) provides preventive, in-home services and supports to a diverse population of eligible individuals to reduce the risk of more costly, out-of-home placement and to promote self-determination and aging-in-place. This program benefits consumers who need long-term services and supports and who are not Medicaid recipients. OPI serves individuals who are 60 years of age or older, and individuals of any age with Alzheimer's disease or a related disorder. A 2014 pilot program added eligibility for individuals with disabilities ages 19 through 59 who live in specific counties (Benton, Clatsop, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Tillamook, Umatilla, Washington, and Yamhill).

**Bill Summary:** House Bill 2908-A would have required the Department of Human Services (DHS), which administers Oregon Project Independence (OPI), to collaborate with area agencies to study the feasibility of expanding OPI statewide. The bill would have required a study and report including projected case numbers, a projected timeline for expansion, and DHS resource needs.

### [House Bill 2947](#)

Not Enacted

[\(see Senate Bill 20\)](#)

### Independent Living Options for Persons with Developmental Disabilities

**Chief Sponsors:** Reps. Keny-Guyer, Sanchez

**Committees:** House Human Services and Housing

**Background and Current Law:** The Department of Human Services (DHS) provides services to adults and children with intellectual and/or developmental disabilities. Those services range from providing supports to assist an individual to live in his or her own home or with family or friends, to 24-hour comprehensive services. Currently the law requires DHS to present to a qualifying adult at least three appropriate placement setting options, including at least two different types of residential settings.

**Bill Summary:** House Bill 2947 would have required DHS to include options for independent living when presenting other placement options to persons with developmental disabilities eligible for such services and provide initial and ongoing training to case managers to ensure managers are aware of all available placement options.

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### [House Bill 2963](#)

Not Enacted

### Safety for At-risk Older Adults and People with Disabilities

**Chief Sponsors:** Reps. DB Smith, G Smith, Keny-Guyer

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

**Background and Current Law:** Gatekeeper programs train employees to recognize and refer at-risk older adults and people with disabilities to the Aging and Disability Resource Connection (ADRC) of Oregon. These programs provide basic training to postal workers, meter readers, financial institutions, emergency responders, social service agencies, and others on how to recognize warning signs and make a referral to the ADRC. Staff with ADRC arrange for a follow-up call, visit, or appropriate referral to check on the referred individual and provide necessary support.

**Bill Summary:** House Bill 2963 would have appropriated \$2 million to the Department of Human Services for the development of gatekeeper programs statewide to involve local communities in the safety and support of seniors and people with disabilities.

### [House Bill 2969-A](#)

Not Enacted

#### Evaluation of Trauma-informed Practices and Policies in Oregon

**Chief Sponsors:** Rep. Marsh; Sen. Taylor

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

**Background and Current Law:** Recent research has improved the understanding of how emotional neglect and exposure to trauma and toxic stress can affect the way children perceive and interact with their world during childhood. Trauma experienced by children, in particular, can impact brain development, and unhealthy patterns of perception and interaction can persist into adulthood and be passed on to subsequent generations. Treatment in early childhood may combat the impacts of adverse childhood experiences. In addition, addressing a child's brain development is more effective and less costly than addressing issues later in life.

**Bill Summary:** House Bill 2969-A would have appropriated \$325,000 in General Funds to the Oregon Department of Administrative Services to contract with an academic research-based nonprofit organization with expertise in trauma-informed practices and outreach capabilities to recommend changes to existing trauma-informed practices and policies in Oregon.

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### [House Bill 2994](#)

Not Enacted

#### Mandatory Reporting of Child Abuse in Schools

**Chief Sponsors:** Reps. Noble, Doherty

**Committees:** House Human Services and Housing

**Background and Current Law:** Mandatory reports of child abuse can be made by contacting law enforcement or the Department of Human Services (DHS). The two agencies then cross-report.

**Bill Summary:** House Bill 2994 would have created a third option for mandatory reporters by allowing school boards to designate a school district employee to receive reports of abuse.

### [House Bill 3000](#)

Not Enacted

#### Oregon Supplemental Income Program Eligibility

**Chief Sponsors:** Rep. Noble

**At the request of:** Jacki Harris

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

**Background and Current Law:** The Oregon Supplemental Income Program (OSIP), administered by the Department of Human Services (DHS), provides low-income aged and disabled Oregonians with cash and medical benefits through a state and federally funded program that offers financial, acute, and long term care. Eligibility for OSIP is determined using various income-means tests and resource requirements.

**Bill Summary:** House Bill 3000 would have directed DHS to deduct medically necessary guardianship service expenses from a protected person's income when calculating OSIP eligibility.

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### [House Bill 3028-A](#)

Not Enacted

#### Earned Income Tax Credit Allowances

**Chief Sponsors:** Reps. Reardon, Keny-Guyer

**Committees:** House Human Services and Housing, House Revenue

**Background and Current Law:** The Earned Income Tax Credit (EITC) is a benefit for working people who meet certain qualifications and who have low to moderate income. Like other tax credits, the EITC reduces the amount of tax owed and may give the recipient a refund. The federal Internal Revenue Service sets qualifying criteria for the EITC, including filing status, qualifying children, and income limits.

**Bill Summary:** House Bill 3028-A would have increased the percentage of federal EITC allowable as credit against Oregon personal income tax from eight to 12 percent, or up to 18 percent for taxpayers with qualifying children. House Bill 3028-A would have additionally extended the sunset for the EITC and applied the increased and additional percentages to tax years before January 1, 2026.



### [House Bill 3041](#)

Not Enacted

#### Child Care for Foster Children

**Chief Sponsors:** Rep. Helt

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

**Background and Current Law:** Foster parents and relative caregivers provide love and support to children in foster care. Children in foster care often have special challenges and needs. Training, certification, and continuing education requirements must be met before an individual can become a foster parent or relative caregiver, and funds are available to help offset financial burdens. The base payment varies depending on the age of the child, ranging from \$693 to \$795 per month. There is an additional stipend to help working foster parents with the cost of child care, of up to \$375 a month for each child under the age of six. Currently, a foster parent claiming the child care stipend must pay for the care out-of-pocket and submit an invoice for reimbursement on a monthly basis.

**Bill Summary:** House Bill 3041 would have directed the Department of Human Services to develop a program that provides direct payments to third-party child care providers for children in foster care.

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### [House Bill 3122](#)

Not Enacted

#### Centers for Independent Living Funding

**Chief Sponsors:** Rep. Nosse

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

**Background and Current Law:** Centers for Independent Living (CILs) are private, nonprofit organizations run by people with disabilities that provide independent living services through a peer-mentoring model. CILs serve individuals with a disability that substantially limits their ability to function independently, and offer five core services: information and referral, independent living skills training, peer counseling, individual and systems advocacy, and life transition assistance. Thirteen of Oregon's 36 counties are currently without CIL services.

**Bill Summary:** House Bill 3122 would have required the Department of Human Services to include incremental increases of General Fund dollars in its biennial agency budget request so that by June 30, 2029, no less than \$40 million would be available to support CILs.

## HUMAN SERVICES

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### [House Bill 3170](#)

Not Enacted

[\(see House Bill 5050\)](#)

### Farm Direct Nutrition Programs

**Chief Sponsors:** Rep. Meek; Sen. Thomsen

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

**Background and Current Law:** The Oregon Farm Direct Nutrition Program provides eligible low-income seniors and Women, Infants, and Children (WIC) Program families with a check to purchase fresh, locally grown fruits, vegetables, and cut herbs from authorized farmers selling directly to consumers.

**Bill Summary:** House Bill 3170 would have made a General Fund appropriation to the Oregon Health Authority for the Senior Farm Direct Nutrition Program and the WIC Farm Direct Nutrition Program.

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### [House Bill 3178](#)

Not Enacted

[\(see House Bill 3180-A\)](#)

### Child Abuse Assessment and Intervention

**Chief Sponsors:** Reps. Keny-Guyer, Noble, Williams, Helt

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

**Background and Current Law:** In 2005, the Legislative Assembly passed House Bill 2221, which created the Child Abuse Multidisciplinary Intervention (CAMI) Program within the Department of Justice. The CAMI Program funds Regional Service Providers to support multidisciplinary teams (MDTs) in each county under the leadership of the local district attorney. The CAMI Program also distributes funds directly to five nonprofit child abuse intervention centers to provide specialized regional assistance to the MDTs.

**Bill Summary:** House Bill 3178 would have established the Child Abuse Assessment Account and appropriated \$6 million from the General Fund to provide grants to regional and community assessment centers. The bill would have also modified the authority of the Advisory Council on Child Abuse Assessment to deposit contributions into the CAMI Account and the Child Abuse Assessment Account.

### [House Bill 3179](#)

Not Enacted

[\(see House Bill 3180-A\)](#)

### **Oregon Child Abuse Prevalence Study**

**Chief Sponsors:** Reps. Keny-Guyer, Noble, Helt, Wilde

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

**Background and Current Law:** The Center for the Prevention of Abuse and Neglect (Center) was established in 2012 within the University of Oregon College of Education to address child abuse and neglect prevention in Lane County. In 2018, the Center performed the pilot Oregon Child Abuse Prevalence Study (OCAPS) on high school students in Lane County. The pilot study made findings of reported incidences of sexual assault (29%), physical abuse (52%), intimate partner violence (77%), and other adverse childhood experiences (83%).

**Bill Summary:** House Bill 3179 would have appropriated \$1 million from the General Fund to the Department of Human Services for distribution to the Center for OCAPS.

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### [House Bill 3180-A](#)

Not Enacted

[\(see House Bill 3178](#) and [House Bill 3179\)](#)

### **Child Abuse Assessment and Education Funding**

**Chief Sponsors:** Reps. Keny-Guyer, Williams, Helt, Noble; Sen. Knopp

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

**Background and Current Law:** In 2005, the Legislative Assembly passed House Bill 2221, which created the Child Abuse Multidisciplinary Intervention (CAMI) Program within the Department of Justice. The CAMI Program funds Regional Service Providers to support multidisciplinary teams (MDTs) in each county under the leadership of the local district attorney and five nonprofit child abuse intervention centers to provide specialized regional assistance to the MDTs. The Center for the Prevention of Abuse and Neglect (Center) was established in 2012 within the University of Oregon College of Education to address child abuse and neglect prevention in Lane County. In 2018, the Center performed the pilot Oregon Child Abuse Prevalence Study (OCAPS) on high school students in Lane County. In 2015, the Legislative Assembly passed Senate Bill 856, which required school district boards to adopt educational programs to teach children how to recognize, escape, and report sexual abuse.

**Bill Summary:** House Bill 3180-A would have established the Child Abuse Assessment Account and appropriated \$6 million from the General Fund to provide grants to regional and community assessment centers. The bill would have modified the authority of the Advisory Council on Child Abuse Assessment to deposit contributions into the CAMI Account and the Child Abuse Assessment Account. House Bill 3180-A would have also appropriated \$1 million from the General Fund to the Department of Human Services for distribution to the Center for OCAPS. The bill would have also appropriated General Fund moneys to the Department of Education to develop curricula related to child safety.

### [House Bill 3183](#)

Effective Date: July 23, 2019

#### Temporary Assistance for Needy Families Program

**Chief Sponsors:** Rep. Keny-Guyer

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

**Background and Current Law:** The Temporary Assistance for Needy Families (TANF) program provides cash assistance to low-income families with children while they strive to become self-sufficient. Cash assistance is intended to meet a family's basic needs such as food, clothing, shelter, and utilities. In 2007, the Legislative Assembly passed House Bill 2469, which redesigned the TANF statutes. Due to funding, caseloads, and other changing program dynamics, that redesign work has been suspended in each biennium.

**Bill Summary:** House Bill 3183 removes the requirements made by House Bill 2469 (2007) and requires the Department of Human Services (DHS) to administer the TANF program consistent with federal regulation and provide specified types of assistance. The bill establishes the State Family Pre-Supplemental Security Income (SSI)/Social Security Disability Insurance (SSDI) program within DHS to assist TANF-eligible families that qualify for federal SSI and SSDI benefits. House Bill 3183 authorizes DHS to assist with educational tuition and fees for TANF parents who enroll in an educational institution as an allowable work activity. The bill also allows DHS to provide up to 12 months of post-TANF aid to a family that becomes ineligible due to employment or increased hours of work.

**Oregon Laws 2019:** Awaiting Chapter Number Assignment

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### [House Bill 3191-A](#)

Not Enacted

#### Child Welfare Service Employees

**Chief Sponsors:** Rep. Mitchell

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

**Background and Current Law:** The Department of Human Services (DHS) Office of Child Welfare is responsible for fielding and responding to reports of potential child abuse or neglect, securing appropriate alternative placements when children must be removed from the home, and assisting local courts with custody decisions. An audit by the Secretary of State in January 2018 found that management failures and high caseloads within the Office of Child Welfare jeopardized the safety of some of the state's most vulnerable children and made 24 recommendations to DHS to address the challenges.

**Bill Summary:** House Bill 3191-A would have required DHS to improve job training of new and current child welfare services employees and develop a plan to incentivize employees to continue their education and obtain advanced degrees by providing tuition and cost reimbursement. The bill would have also required DHS to provide any child welfare caseworker the opportunity to meet regularly with an immediate supervisor to establish or adjust priorities when the worker's caseload exceeded the reported model.

### [House Bill 3205](#)

Effective Date: January 1, 2020

#### Telecommunication Devices Access Program

**Chief Sponsors:** Rep. Williamson; Sen. Thomsen

**Committees:** House Business and Labor, Senate Business and General Government

**Background and Current Law:** In recognition of the large number of people in the state who are not able to utilize telecommunication equipment due to the inability to hear or speak well enough, or due to other disabilities, the Legislative Assembly established the Telecommunication Devices Access Program (TDAP) in 1987. The program, administered by the Public Utility Commission (PUC) with consultation of an advisory committee, purchases and distributes assistive communication equipment to persons who are deaf, deaf-blind, hard of hearing, or speech impaired, to be used in conjunction with the program's telecommunications relay service.

**Bill Summary:** House Bill 3205 requires the PUC to expand the TDAP to include providing communication facilitator services to persons who are deaf-blind.

**Oregon Laws 2019:** Chapter 113

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### [House Bill 3206](#)

Not Enacted

#### Deaf-Blind Support Service Providers

**Chief Sponsors:** Rep. Williamson; Sen. Thomsen

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

**Background and Current Law:** Support service providers (SSPs) are specially trained individuals who act as a link between individuals who are deaf-blind and their environment by providing visual information and communication facilitation. Individuals are considered deaf-blind when a combination of hearing and vision impairment causes severe communication, developmental, and other needs that require significant adaptation.

**Bill Summary:** House Bill 3206 would have required the Department of Human Services (DHS) to administer a statewide program to make SSPs available to individuals who are deaf-blind. The bill would have required DHS to provide funding and technical assistance for training SSPs and to convene a stakeholder advisory committee to advise DHS in the development of program policies.

### [House Bill 3208-A](#)

Not Enacted

#### Child Welfare Service Reports

**Chief Sponsors:** Reps. Nathanson, Stark; Sen. Prozanski

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

**Background and Current Law:** The Department of Human Services (DHS) Office of Child Welfare is responsible for fielding and responding to reports of potential child abuse or neglect, securing appropriate alternative placements when children must be removed from homes, and assisting local courts with custody decisions.

**Bill Summary:** House Bill 3208-A would have directed DHS, in consultation with the Oregon Health Authority and the Oregon Youth Authority, to study and develop two- and five-year plans for comprehensive funding for child welfare services, ensure adequate in-state services for children's therapeutic care, and request sufficient funding for high-level staff. The bill would have also directed DHS to study state laws relating to child abuse investigations and make recommendations for legislation to allow DHS to adopt, by rule, a child in care abuse investigation framework consistent with national models. House Bill 3208-A would have additionally required DHS to provide investigation assistance to child abuse investigators beginning January 1, 2020.

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### [House Bill 3270-A](#)

Not Enacted

#### Adult Foster Home Resident Limits

**Chief Sponsors:** Rep. Meek

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

**Background and Current Law:** Adult foster homes (AFHs) are single-family residences that offer 24-hour care in a home-like setting. A wide variety of residents are served in AFHs, from those needing only room, board, and minimal personal assistance to those residents needing full personal care, or skilled nursing care with the help of community-based registered nurses. Currently, AFHs can only serve five or fewer residents.

**Bill Summary:** House Bill 3270-A would have required the Department of Human Services (DHS) to administer a pilot program of adult foster homes licensed to care for older adults and people with disabilities to provide care to up to seven adults. The measure would have also required DHS to provide the Long Term Care Ombudsman with a list of participating AFHs, with the Ombudsman in turn ensuring that residents were informed about assistance from the Ombudsman. The measure would have mandated DHS to report to interim committees of the Legislative Assembly on the pilot program no later than September 15, 2022. The pilot program would have sunset on January 2, 2024.

### [House Bill 3342-A](#)

Not Enacted

#### **Plant-Based Diets in Hospitals and Long Term Care Facilities**

**Chief Sponsors:** Rep. Wilde; Sen. Wagner

**Committees:** House Human Services and Housing, Senate Health Care

**Background and Current Law:** There are many different types of plant-based diets. One of the most common is vegan, which typically excludes all animal products and by-products, such as meat, eggs, milk, and honey. Other plant-based diets are less strict about the consumption of animal products and more focused on eating whole foods while minimizing the consumption of highly processed foods and drinks, added sugars, and animal-derived products.

**Bill Summary:** House Bill 3342-A would have required hospitals and long term care facilities to make available to patients and residents plant-based meals because of allergies, intolerances, preferences, religious needs, or by request. The measure would have mandated the Department of Corrections (DOC) make available to all inmates a plant-based meal option any time a meal is served. The measure clarified that a plant-based meal is also known as a vegan meal, for the purposes of the bill.

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### [House Bill 3383](#)

Not Enacted

#### **Community-Based Child Welfare Services Pilot Project**

**Chief Sponsors:** Reps. Noble, Piluso, Stark; Sen. Steiner Hayward

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

**Background and Current Law:** The Children's Bureau of Administration for Children and Families within the US Department of Health and Human Services conducts Child and Family Services Reviews (CFSRs), which are periodic reviews of state child welfare systems. They aim to achieve three goals: ensuring conformity with federal child welfare requirements; determining what is actually happening to children and families when they are engaged in child welfare services; and assisting states in helping children and families achieve positive outcomes. Recently, the CFSRs have called for child welfare systems to engage the community based on demonstrations that community-based approaches improve both child and system outcomes.

**Bill Summary:** House Bill 3383 would have directed the Department of Human Services (DHS) to develop and implement a pilot program for the delivery of community-based child welfare services by Yamhill County.



## HUMAN SERVICES

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### [House Bill 3394](#)

Effective Date: September 29, 2019

#### Office of Child Care Resource and Referral System

**Chief Sponsors:** Rep. Lively

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

**Background and Current Law:** Child care facilities include day nurseries, nursery schools, child care centers, certified or registered family child care homes, or similar entities operating under any name. Child care providers must be licensed, registered, or certified with the Office of Child Care (OCC) within the Early Learning Division (ELD) of the Department of Education. The Early Learning Council (ELC) is the governing body overseeing the ELD. The OCC is required to implement a resource and referral system to provide training and technical assistance for child care providers; referrals for parents or guardians seeking child care; and recruitment of qualified individuals to meet the child care needs of a community.

**Bill Summary:** House Bill 3394 clarifies the requirements of the OCC resource and referral system. The measure also requires resource and referral entities to match funds as required by the ELC by rule.

**Oregon Laws 2019:** Chapter 148

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### [House Bill 3413](#)

Effective Date: June 25, 2019

#### Long Term Care Ombudsman

**Chief Sponsors:** Reps. Williams, G Smith, Keny-Guyer

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

**Background and Current Law:** The Office of the Long Term Care Ombudsman is an independent state agency that serves long term care facility residents through complaint investigation, resolution, and advocacy for improvement in resident care. Ombudsman services are free and available to residents, families, facility staff, and the general public. Trained and certified staff and volunteer ombudsmen respond to a wide variety of resident concerns, including problems with resident care, medications, billing, lost property, meal quality, evictions, guardianships, dignity and respect, and care plans. The program serves residents in nursing facilities, residential care facilities, assisted living facilities, continuing care facilities, and adult foster care homes.

**Bill Summary:** House Bill 3413 authorizes the Long Term Care Ombudsman to hire up to 10 deputy ombudsmen as necessary to perform the duties of the ombudsman.

**Oregon Laws 2019:** Chapter 504