

# House Bill 2027

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Revenue)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates rulemaking procedure to establish exception to requirement that adult foster home provider, resident manager or substitute caregiver be on duty 24 hours per day in adult foster home licensed by Department of Human Services.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to adult foster homes; amending ORS 443.725; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 443.725 is amended to read:

443.725. (1) Every provider of adult foster care shall be licensed with the Department of Human Services before opening or operating an adult foster home caring for adult residents.

(2) A provider must live in the home that is to be licensed or hire a resident manager to live in the home.

(3) **Except as allowed under rules adopted under subsection (4) of this section**, *[there must be]* a provider, resident manager or substitute caregiver **must be** on duty 24 hours per day in an adult foster home under the jurisdiction of the department *[of Human Services]*.

(4) **The department shall adopt rules establishing procedures under which the department may grant an exception to the requirement that a provider, resident manager or substitute caregiver be on duty 24 hours per day in an adult foster home. The department may grant an exception only if the provider can demonstrate that the resident for whom the provider has requested an exception is able to remain alone in the home without jeopardizing the health or safety of the resident.**

**SECTION 2.** This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.