

(To Resolve Conflicts)

**A-Engrossed
House Bill 2993**

Ordered by the Senate May 14
Including Senate Amendments dated May 14 to resolve conflicts

Sponsored by Representative HANNA; Representatives BUTLER, GREENLICK, KOMP (at the request of Addus Health Care)

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.

Promotes informed choice in delivery of in-home care services.
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to in-home care services; amending ORS 410.020; and declaring an emergency.

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

SECTION 1. ORS 410.020 is amended to read:

410.020. In carrying out the policies stated in ORS 410.010, the state shall:

(1) Coordinate the effective and efficient provision of community services to older citizens and disabled citizens so that the services will be readily available to the greatest number over the widest geographic area; assure that information on these services is available in each locality, utilizing whenever possible existing information services; and assure that each new service receives maximum publicity at the time it is initiated.

(2) Assure that older citizens and disabled citizens retain the right of free choice in planning and managing their lives; by increasing the number of options in life styles available to older citizens and disabled citizens; by aiding older citizens and disabled citizens to help themselves; by strengthening the natural support system of family, friends and neighbors to further self-care and independent living; **by assuring that older citizens and citizens with disabilities are able to make informed choices regarding the delivery of in-home care services by providing information about their responsibilities as employers of in-home care providers or, alternatively, about the responsibilities of an in-home care agency to provide services;** and by encouraging all programs that seek to maximize self-care and independent living within the mainstream of life.

(3) Assure that health and social services be available that:

(a) Allow the older citizen and disabled citizen to live independently at home or with others as long as the citizen desires without requiring inappropriate or premature institutionalization.

(b) Encourage, by expansion of existing programs for older citizens and disabled citizens, by school programs, by meals-on-wheels, by counseling or by other means, public and private development of nutrition programs for older citizens and disabled citizens that prevent or minimize illness or social isolation.

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.

1 (c) Assure that if institutionalization is necessary, the institution should be of the highest qual-
2 ity where the older citizen and disabled citizen may live in dignity.

3 (d) Protect the older citizen and disabled citizen from physical and mental abuse and from
4 fraudulent practices.

5 (4) Foster both preventive and primary health care, including mental and physical health care,
6 to keep older citizens and disabled citizens active and contributing members of society; and en-
7 courage full restorative services for those older citizens and disabled citizens who require institu-
8 tional care to increase the possibility of their return to independent living.

9 (5) Encourage public and private development of suitable housing for older citizens and disabled
10 citizens, designed and located consistent with their special needs and available at costs they can
11 afford.

12 (6) In implementing subsections (1) to (5) of this section, develop and seek support for plans to
13 assure access to information, counseling and screening, as appropriate, by persons potentially in
14 need of long term care without regard to the person's income.

15 (7) Recognize the necessity for a variety of ways to help older citizens and disabled citizens
16 maintain sufficient income to meet their needs.

17 (8) Encourage local transportation systems and volunteer groups to meet the daily transporta-
18 tion needs of older citizens and disabled citizens and to make accessible to them a broad range of
19 services and programs, including social, health and religious services and programs.

20 (9) Encourage and develop meaningful employment opportunities for older citizens and disabled
21 citizens in positions commensurate with their abilities; eliminate discrimination to such employment;
22 and whenever possible, employ older citizens in programs that affect older citizens and disabled
23 citizens in programs that affect disabled citizens.

24 (10) Involve older citizens and disabled citizens in the decision-making process for programs af-
25 fecting their lives. Recognizing the ability of older citizens and disabled citizens to be advisors to
26 the Legislative Assembly, agencies and professional staff, the Legislative Assembly intends that
27 whenever possible older citizens and disabled citizens should assist in the development of policies
28 affecting their lives.

29 (11) Assure to older citizens and disabled citizens the right to pursue activities within the widest
30 range of civic, cultural, entertainment and recreational opportunities by opening such opportunities
31 to participation by older citizens and disabled citizens, by encouraging older citizens and disabled
32 citizens to utilize their capabilities by participating in government and by assuring them the right
33 to serve.

34 (12) Make public educational facilities available to older citizens and disabled citizens and their
35 organizations so older citizens and disabled citizens may pursue their educational interests; and
36 encourage all institutions of learning and other appropriate agencies to develop and provide by
37 outreach as well as by traditional means special education programs to meet the needs and interests
38 of older citizens by addressing the problems and opportunities of aging and by responding to older
39 citizens' interests in liberal arts as well as their interests in hobby and recreation courses.

40 (13) Encourage the development of barrier-free construction and the removal of architectural
41 barriers so that more facilities are accessible to older citizens and disabled citizens.

42 (14) Promote development of programs to educate persons who work with older citizens in
43 gerontology and geriatrics and encourage qualified persons to seek such education.

44 (15) Encourage immediate application by both public and private agencies of knowledge acquired
45 from research that can sustain and improve the health and happiness of older citizens and disabled

1 citizens.

2 (16) Recognize that older citizens who retire should be able to do so in honor and dignity.

3 (17) Encourage and support:

4 (a) Distribution of literature which accurately presents facts concerning aging and disabilities
5 of citizens.

6 (b) Efforts of schools, churches and other institutions, in teaching children and youth about the
7 process of aging and disabilities of citizens so as to correct fallacies handed down from one gener-
8 ation to another.

9 (c) Intergenerational programming and participation by community organizations and insti-
10 tutions to promote better understanding and warm social interaction and to counteract the tendency
11 to isolation of individuals who are elderly or disabled.

12 (d) Correction of stereotyping of individuals who are elderly or disabled in school texts and
13 other books, newspapers, magazines, radio and television by encouraging review and analysis of
14 these media by publishers, company ownership or other appropriate agencies.

15 (e) Efforts which show that many misconceptions and stereotypes have no basis in fact so older
16 citizens and disabled citizens will be freed from the destructive tendency to socially conform by
17 embracing these fallacies.

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

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