

A-Engrossed
Senate Bill 263

Ordered by the Senate April 5
Including Senate Amendments dated April 5

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Oregon Advocacy Center)

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.

[Requires report to protection and advocacy system if mentally ill or developmentally disabled person within facility or program licensed or certified by Department of Human Services dies or suffers injury during restraint or seclusion.]

Requires Department of Human Services to provide specified protection and advocacy system with information collected by department regarding deaths or injuries sustained during restraint of persons in certain facilities or programs. Requires department to adopt rules establishing requirements for facilities or programs to report information.

A BILL FOR AN ACT

1
2 Relating to required reports to Oregon Advocacy Center by entities regulated by Department of
3 Human Services; creating new provisions; and amending ORS 430.205.

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

5 **SECTION 1.** ORS 430.205 is amended to read:

6 430.205. As used in this section and ORS 430.210 **and section 3 of this 2007 Act:**

7 (1) "Facility" means any of the following which are licensed or certified by the Department of
8 Human Services or which contract with that department or a program for the provision of services:

9 (a) A health care facility as defined in ORS 442.015;

10 (b) A domiciliary care facility as defined in ORS 443.205;

11 (c) A residential facility as defined in ORS 443.400; or

12 (d) An adult foster home as defined in ORS 443.705.

13 (2) "Person" means an individual who has a mental illness or developmental disability and re-
14 ceives services from a program or facility.

15 (3) "Program" means a community mental health and developmental disabilities program as de-
16 scribed in ORS 430.610 to 430.695 and agencies with which it contracts to provide services.

17 (4) "Services" means mental health and developmental disabilities services provided under ORS
18 430.630.

19 **SECTION 2.** Section 3 of this 2007 Act is added to and made a part of ORS chapter 430.

20 **SECTION 3.** (1) **The Department of Human Services, on a quarterly basis, shall provide**
21 **to the system described in ORS 192.517 (1) all information the department collects regarding**
22 **deaths of persons or injuries sustained during restraint of persons in facilities or programs,**
23 **and other data prescribed by rule.**

24 **(2) The department shall adopt rules establishing the requirements for facilities or pro-**

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 **grams to report the information collected under subsection (1) of this section.**

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