

Senate Bill 263

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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**.

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.

A BILL FOR AN ACT

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

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

SECTION 1. ORS 430.205 is amended to read:

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

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

- (a) A health care facility as defined in ORS 442.015;
- (b) A domiciliary care facility as defined in ORS 443.205;
- (c) A residential facility as defined in ORS 443.400; or
- (d) An adult foster home as defined in ORS 443.705.

(2) "Person" means an individual who has a mental illness or developmental disability and receives services from a program or facility.

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

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

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

SECTION 3. (1) A program or facility that becomes aware that a person who receives services from the program or facility has died shall report within two business days to the system described in ORS 192.517 (1) the following information, if known:

- (a) The name and age of the person;
- (b) The names and addresses of individuals, programs or facilities responsible for the person's care, including guardians, conservators and health care representatives appointed under the provisions of ORS 127.505 to 127.660 or ORS 127.700 to 127.737; and
- (c) The date, time, place and cause of death of the person.

(2) A facility shall report within two business days to the system described in ORS 192.517 (1) any injury requiring medical care that occurs during an episode of restraint or seclusion.

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.