

House Bill 3001

Sponsored by Representatives C EDWARDS, GREENLICK; Representatives BARNHART, BERGER, BUCKLEY, CANNON, COWAN, ESQUIVEL, GELSER, KRIEGER, MATTHEWS, READ, RILEY, ROBLAN, STIEGLER

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 Oregon Commission on Autism Spectrum Disorder and requires commission to provide strategic plan to legislature. Establishes Oregon Commission on Autism Spectrum Disorder Fund. Continuously appropriates moneys in fund to commission.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to autism spectrum disorder; appropriating money; and declaring an emergency.

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

3 **SECTION 1. (1) There is established the Oregon Commission on Autism Spectrum Dis-**
4 **order consisting of 13 members.**

5 (2) The Governor shall appoint the following members of the commission, who must be
6 knowledgeable about autism spectrum disorder or services for people with autism spectrum
7 disorder:
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9 (a) A person with autism spectrum disorder;

10 (b) A parent of a child with autism spectrum disorder who is under the age of 18 at the
11 time of the parent's appointment;

12 (c) A parent of an adult with autism spectrum disorder;

13 (d) A representative of an autism or disability advocacy organization;

14 (e) A physician licensed under ORS chapter 677;

15 (f) A representative of the Department of Education;

16 (g) A representative of the Department of Human Services;

17 (h) A representative of the Department of Higher Education;

18 (i) A member from the public at large;

19 (j) A representative of a school district or a local education service district; and

20 (k) A member representing the insurance industry.

21 (3) The President of the Senate shall appoint one member of the Senate to the commis-
22 sion as a nonvoting member.

23 (4) The Speaker of the House of Representatives shall appoint one member of the House
24 of Representatives to the commission as a nonvoting member.

25 (5) The term of office of each member is four years, but a member serves at the pleasure
26 of the appointing authority. Before the expiration of the term of a member, the appointing
27 authority shall appoint a successor whose term begins immediately upon the expiration of
28 the term of the current member. A member is eligible for reappointment. If there is a va-
29 cancy for any reason, the appointing authority shall make an appointment to become im-
30 mediately effective for the unexpired term.

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 (6) A member of the commission is not entitled to compensation, but the members ap-
 2 pointed under subsection (2)(a) to (c) of this section are entitled to reimbursement from
 3 funds available to the Department of Human Services or the Superintendent of Public In-
 4 struction for actual and necessary travel and other expenses incurred by the member in the
 5 performance of the member's official duties in the manner and amount provided in ORS
 6 292.495.

7 (7) The commission shall select one of its members as chairperson and another as vice
 8 chairperson, for such terms and with duties and powers necessary for the performance of
 9 the functions of such offices as the commission determines.

10 (8) A majority of the voting members of the commission constitutes a quorum for the
 11 transaction of business.

12 (9) The commission shall meet at least once every three months at a place, day and hour
 13 determined by the commission. The commission may also meet at other times and places
 14 specified by the call of the chairperson or of a majority of the members of the commission.

15 (10) All agencies of state government, as defined in ORS 174.111, are directed to assist
 16 the commission in the performance of its duties and, to the extent permitted by laws relating
 17 to confidentiality, to furnish such information and advice as the members of the commission
 18 consider necessary to perform their duties.

19 (11)(a) The Department of Human Services and the Superintendent of Public Instruction
 20 shall cooperate to provide staff support to the commission.

21 (b) If the department and the superintendent are unable to agree on the funding for staff
 22 support for the commission, the Governor shall direct the department and the superinten-
 23 dent to fund staff support for the commission as the Governor sees fit.

24 (12) The commission may accept contributions of moneys and assistance from the United
 25 States Government or its agencies or from any other source, public or private, and agree to
 26 conditions placed on the moneys not inconsistent with the duties of the commission.

27 (13) All moneys received by the commission under subsection (12) of this section shall
 28 be paid into the State Treasury and deposited in the Oregon Commission on Autism Spec-
 29 trum Disorder Fund established under section 5 of this 2009 Act.

30 **SECTION 2.** (1) Notwithstanding the term of office specified in section 1 of this 2009 Act,
 31 of the members first appointed to the Oregon Commission on Autism Spectrum Disorder:

- 32 (a) Three shall serve for a term ending January 1, 2011.
- 33 (b) Three shall serve for a term ending January 1, 2012.
- 34 (c) Three shall serve for a term ending January 1, 2013.
- 35 (d) Four shall serve for a term ending January 1, 2014.

36 (2) Initial appointments to the commission must be made before September 30, 2009.

37 **SECTION 3.** (1) The Oregon Commission on Autism Spectrum Disorder shall develop and
 38 maintain a strategic plan that:

- 39 (a) Identifies the type and structure of necessary services that enable persons with
 40 autism spectrum disorder to function to their full individual potentials across their lifespans;
- 41 (b) Provides recommendations for coordinated service systems for persons with autism
 42 spectrum disorder;
- 43 (c) Identifies strategies for providing accurate information about autism spectrum dis-
 44 order to the public and to professionals serving persons with autism spectrum disorder;
- 45 (d) Identifies strategies to increase the capacity of state agencies and communities to

1 support persons with autism spectrum disorder;

2 (e) Estimates and makes recommendations regarding the funding needed to provide ser-
3 vices for persons with autism spectrum disorder and to coordinate those services;

4 (f) Recommends criteria for the diagnosis of autism spectrum disorder;

5 (g) Recommends competencies, best practices and continuing education requirements for
6 practitioners who diagnose autism spectrum disorder;

7 (h) Provides a plan, including timelines and funding options, for implementation of the
8 diagnostic criteria, competencies and continuing education requirements for practitioners
9 who diagnose autism spectrum disorder;

10 (i) Proposes a reorganized structure for the delivery of educational services to persons
11 with autism spectrum disorder, including assessment, early intensive intervention, special-
12 ized services, transition services, professional development and teacher mentoring and sup-
13 port;

14 (j) Proposes an endorsement and assessment process for educational autism spectrum
15 disorder specialists;

16 (k) Proposes a 10-year plan with biennial goals for providing services to persons with
17 autism spectrum disorder;

18 (L) Proposes legislation related to autism spectrum disorder; and

19 (m) Provides recommendations for relevant state agencies regarding policies, procedures
20 and improvement of services to benefit persons with autism spectrum disorder.

21 (2) The commission may establish subcommittees as it determines to be necessary to
22 assist the commission in the performance of its duties.

23 **SECTION 4.** The Oregon Commission on Autism Spectrum Disorder shall report to the
24 Governor and to appropriate interim committees of the Legislative Assembly no later than
25 October 1, 2010. The report must include proposals for each of the elements of the plan re-
26 quired by section 3 (1) of this 2009 Act.

27 **SECTION 5.** The Oregon Commission on Autism Spectrum Disorder Fund is established
28 in the State Treasury, separate and distinct from the General Fund. Interest earned by the
29 Oregon Commission on Autism Spectrum Disorder Fund shall be credited to the fund. All
30 moneys received under section 1 of this 2009 Act shall be paid into the fund and are contin-
31 uously appropriated to the Oregon Commission on Autism Spectrum Disorder for the pur-
32 poses of carrying out sections 1 to 4 of this 2009 Act.

33 **SECTION 6.** This 2009 Act being necessary for the immediate preservation of the public
34 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
35 on its passage.

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