

## HOUSE AMENDMENTS TO HOUSE BILL 3618

By COMMITTEE ON HUMAN SERVICES

February 9

1 On page 1 of the printed updated sponsors bill, line 2, after “410.600,” insert “410.604.”

2 After line 3, insert:

3 “Whereas home care workers and personal support workers provide essential services to sen-  
4 iors, persons with physical disabilities and persons experiencing a developmental disability or mental  
5 illness; and

6 “Whereas the state has a duty to provide workers’ compensation coverage to home care workers  
7 and personal support workers who receive funding from the state; and

8 “Whereas the Legislative Assembly does not intend to compromise the resources and choices  
9 available to seniors, persons with physical disabilities, persons experiencing a developmental disa-  
10 bility or mental illness or the family members of seniors, persons with physical disabilities or per-  
11 sons experiencing a developmental disability or mental illness; and

12 “Whereas seniors, persons with physical disabilities, persons experiencing a developmental dis-  
13 ability or mental illness and the family members of seniors, persons with physical disabilities and  
14 persons experiencing a developmental disability or mental illness have a right to choose among  
15 available services, activities and purchases, including adult support services; and

16 “Whereas the Legislative Assembly does not intend to reduce the amount or scope of those  
17 services, activities and purchases or to compromise the services, activities and purchases currently  
18 available to persons who receive care from a home care worker or personal support worker who is  
19 currently registered in the registry maintained by the Home Care Commission; now, therefore,”

20 Delete lines 5 through 24 and delete pages 2 through 6 and insert:

21 “**SECTION 1. Sections 2 and 3 of this 2010 Act are added to and made a part of ORS  
22 410.600 to 410.625.**

23 “**SECTION 2. The Legislative Assembly finds and declares that the interest and welfare  
24 of the public is served by the establishment of a Home Care Commission that operates in  
25 accordance with ORS 410.600 to 410.625 and whose operations:**

26 “(1) **Do not compromise the resources of elderly persons, persons with physical disabili-  
27 ties, persons with developmental disabilities or mental illnesses or the family members of  
28 elderly persons, persons with physical disabilities or persons with developmental disabilities  
29 or mental illnesses;**

30 “(2) **Do not compromise the ability of elderly persons, persons with physical disabilities,  
31 persons with developmental disabilities or mental illnesses or the family members of elderly  
32 persons, persons with physical disabilities or persons with developmental disabilities or  
33 mental illnesses to choose from among services, activities and purchases, including adult  
34 support services; and**

35 “(3) **Do not reduce the amount and scope of the services, activities and purchases, in-**

1 cluding adult support services, available to elderly persons, persons with physical disabilities,  
2 persons with developmental disabilities or mental illnesses or the family members of elderly  
3 persons, persons with physical disabilities or persons with developmental disabilities or  
4 mental illnesses.

5 **“SECTION 3. (1) The Home Care Commission shall create a Developmental Disabilities  
6 and Mental Health Committee.**

7 **“(2) The committee shall provide information and make recommendations to the com-  
8 mission on:**

9 **“(a) Methods of improving the quality of services available to persons with developmental  
10 disabilities or mental illnesses and the family members of persons with developmental disa-  
11 bilities or mental illnesses;**

12 **“(b) Means of ensuring that an adequate amount of services are available to persons with  
13 developmental disabilities or mental illnesses and the family members of persons with de-  
14 velopmental disabilities or mental illnesses; and**

15 **“(c) All the duties and functions under ORS 410.600 to 410.625 as those duties and func-  
16 tions pertain to persons with developmental disabilities or mental illnesses and the family  
17 members of persons with developmental disabilities or mental illnesses, including but not  
18 limited to:**

19 **“(A) Qualifications for personal support workers;**

20 **“(B) Registration of personal support workers;**

21 **“(C) Referrals for routine, emergency and respite care;**

22 **“(D) Training opportunities for personal support workers; and**

23 **“(E) Collective bargaining.**

24 **“(3) The commission shall consider the recommendations of the committee. When the  
25 commission does not follow the recommendations of the committee, the commission shall  
26 inform the committee of the reasons for not following the recommendations.**

27 **“(4) The commission shall appoint members to the committee. In appointing members  
28 to the committee, the commission shall include at least one:**

29 **“(a) Consumer of services, activities or purchases available to persons with develop-  
30 mental disabilities;**

31 **“(b) Consumer of services, activities or purchases available to persons with mental ill-  
32 nesses;**

33 **“(c) Family member of a person with a developmental disability;**

34 **“(d) Family member of a person with a mental illness;**

35 **“(e) Advocate for persons with developmental disabilities or mental illnesses;**

36 **“(f) Personal support worker;**

37 **“(g) Representative from an agency that assists persons with developmental disabilities  
38 or mental illnesses in finding and arranging resources for home care services; and**

39 **“(h) Representative from a support services brokerage that assists persons with devel-  
40 opmental disabilities or mental illnesses in finding and arranging resources for home care  
41 services.**

42 **“SECTION 4. ORS 410.606 is amended to read:**

43 **“410.606. (1) Notwithstanding ORS 410.600, for purposes of this section:**

44 **“(a) ‘Activities of community inclusion’ includes but is not limited to volunteer activities,  
45 employment, development of community life skills and participation in social and recre-**

1 **ational community events.**

2 **“(b) ‘Adult support services’ means individually determined services, activities and pur-**  
3 **chases, whether those services, activities and purchases are necessary for an individual to**  
4 **live in the individual’s own home or the individual’s family’s home or to fully participate in**  
5 **community life or work, that:**

6 **“(A) Complement existing services, activities or purchases available to the individual;**

7 **“(B) Are designed, selected and managed by the individual or the individual’s legal rep-**  
8 **resentative;**

9 **“(C) Are provided in accordance with an individualized plan; and**

10 **“(D) Allow individuals to choose and have control over services and life goals.**

11 **“(c) ‘Home care services’ means assistance with activities of daily living, activities of**  
12 **community inclusion and self-management provided by a home care worker for an elderly**  
13 **person or a person with a disability.**

14 **“(d) ‘Home care worker’ means:**

15 **“(A) A person:**

16 **“(i) Who is hired directly by an elderly person or a person with a physical disability or**  
17 **by a parent or guardian of an elderly person or a person with a physical disability;**

18 **“(ii) Who receives moneys from the Department of Human Services for the purpose of**  
19 **providing care to the elderly person or the person with a physical disability;**

20 **“(iii) Whose compensation is funded in whole or in part by the department, an area**  
21 **agency or other public agency; and**

22 **“(iv) Who provides either hourly or live-in home care services; or**

23 **“(B) A personal support worker.**

24 **“(e) ‘Person with a disability’ means a person with a physical disability, developmental**  
25 **disability or mental illness.**

26 **“(f) ‘Personal support worker’ means a person:**

27 **“(A) Who is hired by a person with a developmental disability or mental illness or a**  
28 **parent or guardian of a person with a developmental disability or mental illness;**

29 **“(B) Who receives moneys from the department for the purpose of providing care to the**  
30 **person with a developmental disability or mental illness;**

31 **“(C) Whose compensation is provided in whole or in part through the department, a**  
32 **support services brokerage or other public agency; and**

33 **“(D) Who provides home care services in the home or community.**

34 **“(g) ‘Support services brokerage’ means an entity that performs the functions associated**  
35 **with the planning and implementation of adult support services, including the provision of**  
36 **services and the arrangement of activities and purchases, for the purpose of maximizing in-**  
37 **dividual choice and self-determination for persons with developmental disabilities or mental**  
38 **illnesses.**

39 **“(2) The department [of Human Services], an area agency or other public agency shall provide**  
40 **to an individual seeking a home care worker the names of qualified individuals, in the appropriate**  
41 **geographic area, who have been placed on the registry maintained by the Home Care Commission.**

42 **“(3) The department shall collect:**

43 **“(a) The name and address of any home care worker:**

44 **“(A) Who provides home care services;**

45 **“(B) Whose compensation is funded in whole or in part with state funds; and**

1       **“(C) Who is not listed on the registry maintained by the commission;**  
2       **“(b) The name of the program under which the home care worker provides the home care**  
3 **services;**  
4       **“(c) Any other data required by the commission for training and registry purposes; and**  
5       **“(d) Any other data required for workers’ compensation purposes.**  
6       **“(4) If necessary to collect the information required by subsection (3) of this section:**  
7       **“(a) The department shall request the required information from any agency or support**  
8 **services brokerage that provides or arranges payroll services for home care workers; and**  
9       **“(b) The agency or support services brokerage shall provide the department with the**  
10 **requested information.**  
11       **“(5) The department shall keep and maintain until July 1, 2013, the information that the**  
12 **department collects and receives under this section for the purpose of updating the registry**  
13 **maintained by the commission.**  
14       **“(6) The department:**  
15       **“(a) Is not required to publish, electronically or otherwise, the names and addresses of**  
16 **home care workers that the department collects and receives under this section; and**  
17       **“(b) Shall provide the name and address of a home care worker to any person who re-**  
18 **quests the information in accordance with ORS 192.410 to 192.505.**  
19       **“SECTION 5. (1) The amendments to ORS 410.606 by section 4 of this 2010 Act become**  
20 **operative on October 1, 2010.**  
21       **“(2) Notwithstanding subsection (1) of this section, the Department of Human Services**  
22 **and any agency and support services brokerage that provides or arranges payroll services for**  
23 **home care workers may take any action necessary before the operative date specified in**  
24 **subsection (1) of this section to enable the department, agency and support services broker-**  
25 **age to exercise, on and after the operative date specified in subsection (1) of this section, all**  
26 **the duties, functions and powers conferred on the department, agency and support services**  
27 **brokerage by the amendments to ORS 410.606 by section 4 of this 2010 Act.**  
28       **“SECTION 6. ORS 410.600 is amended to read:**  
29       **“410.600. As used in ORS 410.600 to 410.625:**  
30       **“(1) ‘Activities of community inclusion’ includes but is not limited to volunteer activities,**  
31 **employment, development of community life skills and participation in social and recre-**  
32 **ational community events.**  
33       **“[(1)] (2) ‘Activities of daily living’ includes but is not limited to the following:**  
34       **“(a) Bathing and personal hygiene;**  
35       **“(b) Dressing and grooming;**  
36       **“(c) Eating;**  
37       **“(d) Mobility;**  
38       **“(e) Bowel and bladder management; and**  
39       **“(f) Cognition.**  
40       **“(3) ‘Adult support services’ means individually determined services, activities and pur-**  
41 **chases, whether those services, activities and purchases are necessary for an individual to**  
42 **live in the individual’s own home or the individual’s family’s home or to fully participate in**  
43 **community life or work, that:**  
44       **“(a) Complement existing services, activities or purchases available to the individual;**  
45       **“(b) Are designed, selected and managed by the individual or the individual’s legal rep-**

1 **representative;**

2 **“(c) Are provided in accordance with an individualized plan; and**

3 **“(d) Allow individuals to choose and have control over services and life goals.**

4 “[2] (4) ‘Area agency’ has the meaning given that term in ORS 410.040.

5 “[3] (5) ‘Commission’ means the Home Care Commission established and operated pursuant to  
6 section 11, Article XV of the Oregon Constitution, and ORS 410.600 to 410.625.

7 “[4] (6) ‘Elderly person’ has the meaning given that term in ORS 410.040.

8 “[5] (7) ‘Home care services’ means assistance with activities of daily living, **activities of**  
9 **community inclusion** and self-management provided by a home care worker [*in the home of*] **for**  
10 **an elderly person or a person with a disability.**

11 “[6] (8) ‘Home care worker’ means:

12 **“(a) A person:**

13 “[*a*] (A) Who is hired directly by an elderly person or a person with a **physical** disability  
14 [*who*] **or by a parent or guardian of an elderly person or a person with a physical disability;**

15 **“(B) Who** receives moneys from the Department of Human Services for [*that purpose*] **the**  
16 **purpose of providing care to the elderly person or the person with a physical disability;**

17 “[*b*] (C) Whose compensation is [*paid*] **funded** in whole or in part by the department, an area  
18 agency or other public agency [*that receives moneys from the department for that purpose*]; and

19 “[*c*] (D) Who provides either hourly or live-in home care services; **or**

20 **“(b) A personal support worker.**

21 “[7] (9) ‘Person with a disability’ [*has the meaning given that term in ORS 410.040*] **means a**  
22 **person with a physical disability, developmental disability or mental illness.**

23 **“(10) ‘Personal support worker’ means a person:**

24 **“(a) Who is hired by a person with a developmental disability or mental illness or a par-**  
25 **ent or guardian of a person with a developmental disability or mental illness;**

26 **“(b) Who receives moneys from the department for the purpose of providing care to the**  
27 **person with a developmental disability or mental illness;**

28 **“(c) Whose compensation is provided in whole or in part through the department, a**  
29 **support services brokerage or other public agency; and**

30 **“(d) Who provides home care services in the home or community.**

31 “[8] (11) ‘Self-management’ includes but is not limited to the following activities, other than  
32 activities of daily living, required by an individual to continue living independently in the  
33 individual’s own home:

34 (a) Medication and oxygen management;

35 (b) Transportation;

36 (c) Meal preparation;

37 (d) Shopping; and

38 (e) [*Client focused*] **Client-focused** general household work.

39 **“(12) ‘Support services brokerage’ means an entity that performs the functions associ-**  
40 **ated with the planning and implementation of adult support services, including the provision**  
41 **of services and the arrangement of activities and purchases, for the purpose of maximizing**  
42 **individual choice and self-determination for persons with developmental disabilities or mental**  
43 **illnesses.**

44 **“SECTION 7.** ORS 410.606, as amended by section 4 of this 2010 Act, is amended to read:

45 **“410.606. [(1) Notwithstanding ORS 410.600, for purposes of this section:]**

1       “(a) ‘Activities of community inclusion’ includes but is not limited to volunteer activities, employ-  
2       ment, development of community life skills and participation in social and recreational community  
3       events.]

4       “(b) ‘Adult support services’ means individually determined services, activities and purchases,  
5       whether those services, activities and purchases are necessary for an individual to live in the  
6       individual’s own home or the individual’s family’s home or to fully participate in community life or  
7       work, that:]

8       “(A) Complement existing services, activities or purchases available to the individual;]

9       “(B) Are designed, selected and managed by the individual or the individual’s legal  
10      representative;]

11      “(C) Are provided in accordance with an individualized plan; and]

12      “(D) Allow individuals to choose and have control over services and life goals.]

13      “(c) ‘Home care services’ means assistance with activities of daily living, activities of community  
14      inclusion and self-management provided by a home care worker for an elderly person or a person with  
15      a disability.]

16      “(d) ‘Home care worker’ means:]

17      “(A) A person:]

18      “(i) Who is hired directly by an elderly person or a person with a physical disability or by a  
19      parent or guardian of an elderly person or a person with a physical disability;]

20      “(ii) Who receives moneys from the Department of Human Services for the purpose of providing  
21      care to the elderly person or the person with a physical disability;]

22      “(iii) Whose compensation is funded in whole or in part by the department, an area agency or  
23      other public agency; and]

24      “(iv) Who provides either hourly or live-in home care services; or]

25      “(B) A personal support worker.]

26      “(e) ‘Person with a disability’ means a person with a physical disability, developmental disability  
27      or mental illness.]

28      “(f) ‘Personal support worker’ means a person:]

29      “(A) Who is hired by a person with a developmental disability or mental illness or a parent or  
30      guardian of a person with a developmental disability or mental illness;]

31      “(B) Who receives moneys from the department for the purpose of providing care to the person  
32      with a developmental disability or mental illness;]

33      “(C) Whose compensation is provided in whole or in part through the department, a support ser-  
34      vices brokerage or other public agency; and]

35      “(D) Who provides home care services in the home or community.]

36      “(g) ‘Support services brokerage’ means an entity that performs the functions associated with the  
37      planning and implementation of adult support services, including the provision of services and the ar-  
38      rangement of activities and purchases, for the purpose of maximizing individual choice and self-  
39      determination for persons with developmental disabilities or mental illnesses.]

40      “(2) (1) The Department **of Human Services**, an area agency or other public agency shall  
41      provide to an individual seeking a home care worker the names of qualified individuals, in the ap-  
42      propriate geographic area, who have been placed on the registry maintained by the Home Care  
43      Commission.

44      “(3) (2) The department shall collect:

45      “(a) The name and address of any home care worker:

1 “(A) Who provides home care services;  
2 “(B) Whose compensation is funded in whole or in part with state funds; and  
3 “(C) Who is not listed on the registry maintained by the commission;  
4 “(b) The name of the program under which the home care worker provides the home care ser-  
5 vices;  
6 “(c) Any other data required by the commission for training and registry purposes; and  
7 “(d) Any other data required for workers’ compensation purposes.  
8 “[4] (3) If necessary to collect the information required by subsection [(3)] (2) of this section:  
9 “(a) The department shall request the required information from any agency or support services  
10 brokerage that provides or arranges payroll services for home care workers; and  
11 “(b) The agency or support services brokerage shall provide the department with the requested  
12 information.  
13 “[5] (4) The department shall keep and maintain until July 1, 2013, the information that the  
14 department collects and receives under this section for the purpose of updating the registry main-  
15 tained by the commission.  
16 “[6] (5) The department:  
17 “(a) Is not required to publish, electronically or otherwise, the names and addresses of home  
18 care workers that the department collects and receives under this section; and  
19 “(b) Shall provide the name and address of a home care worker to any person who requests the  
20 information in accordance with ORS 192.410 to 192.505.  
21 “**SECTION 8.** ORS 410.604 is amended to read:  
22 “410.604. (1) The Home Care Commission shall ensure the quality of home care services by:  
23 “(a) Establishing qualifications for home care workers with the advice and consent of the De-  
24 partment of Human Services as the single state Medicaid agency;  
25 “(b) Providing training opportunities for home care workers and elderly persons and persons  
26 with disabilities who employ home care workers;  
27 “(c) Establishing and maintaining a registry of qualified home care workers;  
28 “(d) Providing routine, emergency and respite referrals of home care workers;  
29 “(e) Entering into contracts with public and private organizations and individuals for the pur-  
30 pose of obtaining or developing training materials and curriculum or other services as may be  
31 needed by the commission; and  
32 “(f) Working cooperatively with area agencies and state and local agencies to accomplish the  
33 duties listed in paragraphs (a) to (e) of this subsection.  
34 “(2)(a) The commission shall enter into an interagency agreement with the department to con-  
35 tract for a department employee to serve as executive director of the commission. The executive  
36 director shall be appointed by the Director of Human Services in consultation with the Governor  
37 and subject to approval by the commission, and shall serve at the pleasure of the Director of Human  
38 Services. The commission may delegate to the executive director the authority to act on behalf of  
39 the commission to carry out its duties and responsibilities, including but not limited to:  
40 “(A) Entering into contracts or agreements; and  
41 “(B) Taking reasonable or necessary actions related to the commission’s role as employer of  
42 record for home care workers under ORS 410.612.  
43 “(b) The commission shall enter into an interagency agreement with the department for carrying  
44 out any of the duties or functions of the commission, for department expenditures and for the pro-  
45 vision of staff support by the department.

1 “(3) When conducting its activities, and in making decisions relating to those activities, the  
2 commission shall first consider the effect of its activities and decisions on:

3 “(a) Improving the quality of service delivered by home care workers; [and]

4 “(b) Ensuring adequate hours of service are provided to elderly persons and persons with disa-  
5 bilities by home care workers[.]; **and**

6 “(c) **Ensuring that services, activities and purchases that are purchased by elderly per-  
7 sons and persons with disabilities other than home care services, including adult support  
8 services, are not compromised or diminished.**

9 “(4) The commission has the authority to contract for services, lease, acquire, hold, own, en-  
10 cumber, insure, sell, replace, deal in and with and dispose of real and personal property in its own  
11 name.

12 “**SECTION 9.** ORS 656.039 is amended to read:

13 “656.039. (1) An employer of one or more persons defined as nonsubject workers or not defined  
14 as subject workers may elect to make them subject workers. If the employer is or becomes a  
15 carrier-insured employer, the election shall be made by filing written notice thereof with the insurer  
16 with a copy to the Director of the Department of Consumer and Business Services. The effective  
17 date of coverage is governed by ORS 656.419 (3). If the employer is or becomes a self-insured em-  
18 ployer, the election shall be made by filing written notice thereof with the director, the effective  
19 date of coverage to be the date specified in the notice.

20 “(2) Any election under subsection (1) of this section may be canceled by written notice thereof  
21 to the insurer or, in the case of a self-insured employer, by notice thereof to the director. The can-  
22 cellation is effective at 12 midnight ending the day the notice is received by the insurer or the di-  
23 rector, unless a later date is specified in the notice. The insurer shall, within 10 days after receipt  
24 of a notice of cancellation under this section, send a copy of the notice to the director.

25 “(3) When necessary the insurer or the director shall fix assumed minimum or maximum wages  
26 for persons made subject workers under this section.

27 “(4) Notwithstanding any other provision of this section, a person or employer not subject to  
28 this chapter who elects to become covered may apply to an insurer for coverage. An insurer other  
29 than the State Accident Insurance Fund Corporation may provide such coverage. However, the State  
30 Accident Insurance Fund Corporation shall accept any written notice filed and provide coverage as  
31 provided in this section if all subject workers of the employers will be insured with the State Acci-  
32 dent Insurance Fund Corporation and the coverage of those subject workers is not considered by  
33 the State Accident Insurance Fund Corporation to be a risk properly assignable to the assigned risk  
34 pool.

35 “(5)(a) The Home Care Commission created by ORS 410.602 shall elect coverage on behalf of  
36 clients of the Department of Human Services **or the Oregon Health Authority** who employ home  
37 care workers to make home care workers subject workers if the home care worker is [paid] **funded**  
38 by the state on behalf of the client.

39 “(b) As used in this subsection, ‘home care worker’ has the meaning given that term in ORS  
40 410.600.

41 “**SECTION 10.** (1) **The amendments to ORS 410.600, 410.604, 410.606 and 656.039 by sections  
42 6 to 9 of this 2010 Act become operative on January 1, 2011.**

43 “(2) **Notwithstanding subsection (1) of this section, the Home Care Commission may take  
44 any action necessary before the operative date specified in subsection (1) of this section to  
45 enable the commission to exercise, on and after the operative date specified in subsection (1)**

1 of this section, all the duties, functions and powers conferred on the commission by the  
2 amendments to ORS 410.604 and 656.039 by sections 8 and 9 of this 2010 Act.

3 **“SECTION 11.** ORS 410.606, as amended by sections 4 and 7 of this 2010 Act, is amended to  
4 read:

5 “410.606. (1) The Department of Human Services, an area agency, [or] other public agency or  
6 support services brokerage shall provide to an individual seeking a home care worker the names  
7 of qualified individuals, in the appropriate geographic area, who have been placed on the registry  
8 maintained by the Home Care Commission.

9 “[*(2) The department shall collect:*]

10 **“(2) To facilitate the development and maintenance of the registry maintained by the  
11 commission and any training opportunity offered by the commission, and to meet the re-  
12 quirements of providing workers’ compensation, the department, area agencies, other public  
13 agencies and support services brokerages shall report to the commission:**

14 “(a) The name and address of any home care worker:

15 “(A) Who provides home care services;

16 “(B) Whose compensation is funded in whole or in part with state funds; and

17 “(C) Who is not listed on the registry [*maintained by the commission*];

18 “(b) The name of the program under which the home care worker provides the home care ser-  
19 vices;

20 “(c) Any other data required by the commission for training and registry purposes; and

21 “(d) Any other data required for workers’ compensation purposes.

22 “(3) If necessary to collect the information required by subsection (2) of this section:

23 “(a) The [*department*] **commission** shall request the required information from **the department**  
24 **or** any agency or support services brokerage that provides or arranges payroll services for home  
25 care workers; and

26 “(b) The **department**, agency or support services brokerage shall provide the [*department*]  
27 **commission** with the requested information.

28 “[*(4) The department shall keep and maintain until July 1, 2013, the information that the depart-  
29 ment collects and receives under this section for the purpose of updating the registry maintained by the  
30 commission.*]

31 “[*(5) The department:*]

32 “[*(a) Is not required to publish, electronically or otherwise, the names and addresses of home care  
33 workers that the department collects and receives under this section; and*]

34 “[*(b) Shall provide the name and address of a home care worker to any person who requests the  
35 information in accordance with ORS 192.410 to 192.505.*]

36 **“SECTION 12.** (1) **The amendments to ORS 410.606 by section 11 of this 2010 Act become  
37 operative on July 1, 2013.**

38 **“(2) Notwithstanding subsection (1) of this section, the Home Care Commission, the De-  
39 partment of Human Services, area agencies, other public agencies and support services bro-  
40 kerages may take any action necessary before the operative date specified in subsection (1)  
41 of this section to enable the commission, the department, area agencies, other public agen-  
42 cies and support services brokerages to exercise, on and after the operative date specified  
43 in subsection (1) of this section, all the duties, functions and powers conferred on the com-  
44 mission, the department, area agencies, other public agencies and support services broker-  
45 ages by the amendments to ORS 410.606 by section 11 of this 2010 Act.**

1           **“SECTION 13. This 2010 Act being necessary for the immediate preservation of the public**  
2 **peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect**  
3 **on its passage.”.**

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