

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 2650 - C**

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session  
Legislative Fiscal Office

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**Measure Description:**

Requires home health agencies to complete a criminal records check on any individual paid by the home health agency to provide home health service.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA), Department of Human Services (DHS)

**Summary of Fiscal Impact:**

See Analysis

**Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**Analysis:**

House Bill 2650 C-Engrossed requires home health agencies and in-home care agencies to complete a criminal records check before hiring or contracting with an individual, or before allowing an individual to volunteer to provide services on behalf of the agency. The bill prohibits home health and in-home care agencies from hiring individuals who has been convicted of certain crimes including murder, rape and other sex-related crimes.

The bill requires the Oregon Health Authority (OHA) to prescribe by rule the process for conducting a criminal background check.

The bill prohibits public funds from being used to support the employment of a mental health or substances abuse treatment provider who has been convicted of committing or convicted of an attempt, conspiracy or solicitation to commit certain crimes including murder, rape and other sex-related crimes.

The bill allows OHA and DHS, upon the request of a mental health or substance abuse treatment provider, to maintain a record of the criminal background checks. DHS and OHA may disclose the record only to a person the provider specifically authorizes by a written release to receive the information.

This bill is anticipated to have no fiscal impact to OHA and DHS. Under current practice, OHA and DHS are responsible for completing criminal records checks on individuals paid by home health and in-home care agencies. OHA and DHS will use existing resources to carry out the provisions of this bill.