

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass and Rescind the Subsequent Referral to the Committee on Ways and Means

**Vote:** 8 - 0 - 0

**Yeas:** Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei

**Nays:** 0

**Exc.:** 0

**Prepared By:** Jennifer Kellar, Administrator

**Meeting Dates:** 2/9, 2/21, 2/23

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**WHAT THE MEASURE DOES:** Expands the definition of person with a disability for individuals who are served by the Department of Human Services. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Proposed definition is to update and reflect populations being served by department
- Proposed definition umbrella for statutory policies connecting the mission of the department to Oregonians with disabilities
- Proposed definition better reflective of the general definition for person with disability as provided by 1989 legislature
- Discussion regarding potential fiscal impact of expanded definition
- Clarification needed by department regarding definition provided in Oregon Revised Statute 659A.103-145

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The current governing statutes and department eligibility criteria are not in alignment. Current statutory language stipulates that a person with a disability is either eligible for Supplementary Security Income (SSI) or General Assistance (GA); however, the GA program was eliminated in 2005. Additionally, in Medicaid programs, Seniors and People with Disabilities serves individuals with disabilities with incomes up to 300 percent of the SSI eligibility level. The department has served individuals with disabilities with incomes up to 300 percent of SSI eligibility when its home and community based waiver began in 1981.

The current definition of a person with a disability was placed in statute in 1981 with the creation of Oregon Revised Statute (ORS) 410. The definition has been updated primarily through housekeeping legislation to use first person language.