

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by prior reference
Vote:	8 - 0 - 0
Yeas:	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
Nays:	0
Exc.:	0
Prepared By:	Jennifer Kellar, Administrator
Meeting Dates:	2/28, 4/4, 4/11

WHAT THE MEASURE DOES: Codifies Staley settlement agreement pertaining to the updating of terminology and creation of definitions and eligibility criteria of developmental disability services to adults. Specifies Department of Human Services' (DHS) obligation to establish by rule services, activities and purchases available; and application and eligibility determination processes for support services for adults with developmental disabilities. Requires DHS to ensure that individuals have opportunity to confirm satisfaction with the support services for adults that individual receives and make changes in services as necessary.

ISSUES DISCUSSED:

- Settlement agreement extended from June 30, 2007 until June 30, 2011
- Treatment of patients and closure of Fairview State Hospital
- Measure obligates DHS to provide support services for adults as entitlement, regardless of availability of resources
- Definition change increases number of individuals to be served by DHS
- Brokerage services provide person-centered, individual support planning using cost effective alternatives to comprehensive services
- Work of personal agents in brokerage services
- Measure ensures rightful representation of people with developmental and/or intellectual disabilities
- Oregon only state in nation that does not either institutionalize or send to other states with institutions people with life-long disabilities attributable to mental and/or physical issues
- Self-directed support service system under the Staley Agreement is nationally recognized
- Eligible individuals under agreement receive services within 90 days of acceptance of service
- System utilizes the Medicaid home and community-based waiver along with general fund dollars
- Symbolism in solidifying agreement in statute

EFFECT OF COMMITTEE AMENDMENT: Replaces portion of measure with regard to DHS' obligation to establish by rule services, activities and purchases available; and application and eligibility determination processes for support services for adults with developmental disabilities. Further, DHS is required to ensure that each individual has the opportunity to confirm satisfaction with the support services for adults that the individual receives and to make changes in the services as necessary.

BACKGROUND: The Staley Agreement settled a class action lawsuit filed January 14, 2000 by Medicaid-eligible adults with developmental disabilities. The purpose of the suit was to eliminate a long-standing waitlist for services for adults with disabilities. The Staley Agreement entitled all eligible adults with developmental disabilities to a limited amount of adult support services; created regional support service brokerages around the state to help individuals plan for their support needs and "broker" them with community-based services and supports; and provided comprehensive 24-hour services to Medicaid-eligible adults with developmental disabilities.

4/14/2011 10:42:00 AM

This summary has not been adopted or officially endorsed by action of the committee.

The Staley Agreement was designed as a partnership with individuals and families. The State provides limited funding, averaging less than \$12,000 per year, to purchase a minimum amount of in-home and community-based adult support services for an individual with developmental disabilities. Information provided indicates over 7,600 adults with developmental disabilities are receiving services and supports through support brokerages. The majority of individuals receiving adult support services are still living at home with family and have a support plan that identifies strategies for meeting their needs.