

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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**Action:** Do Pass with Amendments to the A-Engrossed Measure (Printed B-Engrossed)

**Vote:** 5 - 0 - 0

**Yeas:** Bonamici, Dingfelder, Kruse, Whitsett, Prozanski

**Nays:** 0

**Exc.:** 0

**Prepared By:** Aaron Knott, Counsel

**Meeting Dates:** 5/25, 6/1

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**WHAT THE MEASURE DOES:** Requires home health agencies to complete a criminal records check on any individual paid by the agency to provide home health services.

**ISSUES DISCUSSED:**

- Cost of background checks
- Types of health services provided by home health agencies
- Frequency with which criminal checks would ideally be conducted

**EFFECT OF COMMITTEE AMENDMENT:** Replaces the measure.

**BACKGROUND:** Elderly adults and adults with developmental disabilities in long-term care facilities are vulnerable to abuse. The Department of Human Services serves over 15,000 seniors and people with physical disabilities each month in nursing facilities and community-based care facilities. More than 5,000 children and adults with developmental disabilities are in foster care or residential facilities. To improve quality of care, proponents have identified a need for better information on potential employees as well as greater consistency in training and investigations in this area. ORS 443.004(1) requires long-term health providers, residential care facilities and other care institutions to conduct criminal checks on potential employees.

House Bill 2650 B requires home health agencies and in-home care agencies to complete a criminal records check on any individual paid to provide health services. House Bill 2650 B exempts mental health or substance abuse providers from the general prohibition against receiving public funds to support the employment of individuals who have contact with a recipient of support services or who have contact with a resident of an adult foster home if the individual has certain prior convictions. House Bill 2650 B reduces the list of disqualifying offenses for mental health or substance abuse providers to murder and certain sex offenses committed in the first degree. House Bill 2650 B allows for a mental health care or substance abuse provider to request the department or authority to retain a copy of any fitness determination made in hiring that person and can request the release of that information as needed.

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