

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass and Be Referred to the Committee on Rules
Vote:	5 - 0 - 0
Yeas:	Bonamici, Dingfelder, Kruse, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	3/8, 4/21

WHAT THE MEASURE DOES: Exempts certain individuals who provide mental health treatment or substance abuse disorder treatment from disqualification based on certain criminal offenses. Requires the Department of Human Services (DHS) and Oregon Health Authority (OHA) to maintain a record of fitness determination if requested by an individual subject to the above exemption and to disclose this record upon the request of that individual. Effective on passage.

ISSUES DISCUSSED:

- Similar bills under consideration before other committees
- Unintended consequences of House Bill 2442, passed in 2009
- Co-occurrence of mental health disorders with substance abuse
- Experiences of counselors with criminal histories in providing effective insight to recovering addicts

EFFECT OF COMMITTEE AMENDMENT: No amendment.

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. ORS 443.004 states that public funds may not be used to support, in whole or in part, the employment of any person having contact with a recipient of home health, in-home care or support services or the resident of a residential facility if that person has been convicted of a range of crimes. Senate Bill 524 eliminates this bar to the receipt of public funds for individuals who provide treatment or services for persons with substance abuse disorders or mental health disorders. Upon the request of an individual subject to this section, the department or authority shall maintain a record of the results of any fitness determination made under ORS 181.534 and will disclose this information upon the request of the individual.