

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4084 A

Seventy-Sixth Oregon Legislative Assembly – 2012 Regular Session
Legislative Fiscal Office

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Measure Description:

Extends the statute of limitations for certain crimes when the victim is 65 years of age or older.
Establishes the Resident Safety Review Council

Government Unit(s) Affected:

Department of Human Services (DHS), Oregon Health Authority (OHA), Public Defense Services Commission (PDSC), Judicial Department, District Attorneys and their Deputies, Long Term Care Ombudsman, Oregon State Police (OSP), Oregon Patient Safety Commission [Semi-Independent Agency]

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:

HB 4084 extends the statute of limitations for certain crimes when the victim is 65 years of age or older. The bill requires health care providers and financial institutions to allow law enforcement agencies access to certain records if an investigation of abuse of elderly person is being conducted. Financial institutions that supply copies of financial records may be reimbursed for costs incurred. The bill authorizes DHS to make certain reports and records available to law enforcement, administrative law judges in administrative proceedings, and specified agencies providing protective services for the elderly. The bill establishes a six-member Resident Safety Review Council. The bill directs DHS to report to the legislature regarding the reporting of abuse and the implementation of a statewide call system and 2-1-1 system. DHS is also required to develop and implement training program for persons required to investigate abuse of elderly persons. The bill recreates the Oregon Elder Abuse Work Group. The bill is effective upon passage.

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

HB 4084 has a \$300,000 fiscal impact on the Department of Human Services and the Oregon Health Authority. The bill establishes a six-member Resident Safety Review Council charged with reviewing information and reports from investigations of abuse, and performing a root cause analysis to determine whether the occurrences of abuse should be classified as acts of abuse or as adverse events. The bill earmarks up to \$300,000 per biennium from the Quality of Care Fund to provide technical support, analysis, and other costs in performance of the duties of the Resident Safety Review Council. The impact of this on current fund resources and uses needs further review as the measure is considered in the Joint Committee on Ways and Means.

Public Defense Services Commission (PDSC), Judicial Department, District Attorneys and their Deputies, Oregon State Police (OSP), Long Term Care Ombudsman (LTCO)

Passage of this bill is anticipated to have minimal fiscal impact on the above agencies.

Oregon Patient Safety Commission (OPSC)

HB 4084 establishes the six-member Resident Safety Review Council charged with reviewing information and reports from investigations of abuse, and performing a root cause analysis to determine whether the occurrences of abuse should be classified as acts of abuse or as adverse events. The Patient Safety Commission is required to provide staff support to the council. OPSC will use existing staff to support the council. Note that the Patient Safety Commission is a semi-independent state agency subject to ORS 182.456 to 182.472. The agency's budget is not subject to Executive Branch review, or approval or modification by the Legislative Assembly.