

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Veterans and Emergency Preparedness

REVENUE: No revenue impact**FISCAL:** Fiscal statement issued**SUBSEQUENT REFERRAL TO:** None**Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Cheyenne Ross, Administrator**Meeting Dates:** 4/25, 5/2, 5/9

WHAT THE MEASURE DOES: Authorizes Oregon Department of Veterans' Affairs (ODVA) to establish via rule, reasonable compensation for ordinary and unusual services rendered by ODVA as conservator and personal representative. Removes ceiling on ODVA's compensation of five percent of income to veteran's estate. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Sustainability of conservatorship program
- Companion measure, House Bill 2046, permits retraction of waiver of claim against client estate
- Reliance on success of loan program to cover costs of conservatorship program
- Relative small size of program in contrast with high value of service provided
- Wide range of clients, approximately half able to live independently
- Average client incomes, if any, and commitment to serve those who cannot pay
- Contrast to much higher fees received by private conservators
- Similarity with other agencies' ability to retract waivers (such as Department of Human Services)
- Detailed data breaking-down costs by client, and source of funds and how allocated among clients

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: The Oregon Department of Veterans' Affairs (ODVA) operates a Conservatorship Program (Program) for veterans deemed incompetent by either the U.S. Department of Veterans Affairs or the courts; however, the Program is not self-sufficient. Under current law, the ODVA may charge a fee of no more than five percent of the income under its management, plus reasonable compensation for unusual services. The ODVA does not charge destitute veterans in need of conservatorship services, and covers the cost of the Program by taking funds from its loan department. House Bill 2044 removes the five percent limit on fees and allows the ODVA to conduct rulemaking to establish reasonable compensation for its Conservatorship Program.

*House committee vote: 6 • 0 • 1**House floor vote: 59 • 0 • 1*