
MEMORANDUM

Legislative Fiscal Office
900 Court St. NE, Room H-178
Salem, Oregon 97301
Phone 503-986-1828
FAX 503-373-7807

To: Human Services Subcommittee of the Joint Committee on Ways and Means

From: Laurie Byerly, Legislative Fiscal Office, 503-986-1833

Date: June 5, 2013

Subject: SB 640-A
Work Session Recommendations

Senate Bill 640-A requires the Department of Human Services (DHS) or designee to assess support needs for all adults with developmental disabilities, determine appropriate services rates, and to provide detailed accountings of service rate changes. DHS must complete a reassessment no later than 90 days after receiving a request for a new assessment; the request must be driven by significant changes in support needs. The Department must adopt rules, with stakeholder involvement, setting out the procedures and criteria for the requesting and conducting support assessments. Procedures for contesting a denied assessment request and for contesting a failure to respond must also be developed.

The bill has a minimal fiscal impact; an explanatory minimal statement was issued.

The staff measure summary and fiscal impact statement are available on the Oregon Legislative Information System (OLIS). The measure was in Senate Health Care and Human Services and had a public hearing in this subcommittee on May 6.

There are no proposed amendments.

The Legislative Fiscal Office recommends that the measure be moved to the Joint Committee on Ways and Means.

Motion: I move SB 640-A to the Joint Committee on Ways and Means with a “do pass” recommendation.

Assignment of Carriers

Full: _____

2nd Chamber: _____

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 640 - A

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Kim To
Reviewed by: Laurie Byerly
Date: 5/3/2013

Measure Description:

Requires Department of Human Services to assess support needs of each adult with developmental disability who is receiving comprehensive services, and to provide pay service rate to service provider that is sufficient to meet assessed support needs. Sets rate change notice requirements and timeline for conducting assessments triggered by significant changes in support needs.

Government Unit(s) Affected:

Department of Human Services (DHS)

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:

Senate Bill 640 A-Engrossed requires the Department of Human Services to: (1) assess the support needs for each adult with a developmental disability who is receiving comprehensive services that include 24-hour residential care; and (2) determine a service rate that is sufficient to meet the support needs of the adult. If there is a change to the service rate being paid to the service provider, the Department of Human Services (DHS) is required to provide to the adult receiving comprehensive services and the service provider and, if appropriate, the adult's service coordinator, guardian, primary caregiver or family members, with a detailed accounting of the service rate paid and the factors and weighting of factors used to determine the service rate. DHS must perform this assessment within 90 days of receiving a request for assessment. The bill directs DHS to use an advisory committee to adopt rules and procedures for requesting an assessment and determination of service rate.

While passage of this bill could result in an increase in the number of assessments completed by the Office of Developmental Disabilities Services (ODDS), the bill's requirements align with current ODDS guidelines and practices. DHS reports that the agency will use existing ODDS staff and resources to conduct these assessments, and to provide information on the rate setting to various parties. . In addition, the bill's March 1, 2014 operative date should provide adequate time for implementing associated rule or policy manual changes.

Joint Committee on Ways and Means

Carrier – House: Rep.
Carrier – Senate: Sen.

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action:

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Laurie Byerly, Legislative Fiscal Office

Meeting Date: [Full Committee Meeting Date]

WHAT THE MEASURE DOES: Directs Department of Human Services (DHS) or designee to assess support needs for all adults with developmental disabilities. Establishes a 90-day period for DHS to respond to assessment request. Directs DHS adopt rules procedures and criteria for requesting and conducting support assessment, procedure for denying request for assessment or DHS's failure to respond to request. Defines service provider and service rate. March 1, 2014 operative date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

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EFFECT OF COMMITTEE AMENDMENT: No amendment proposed

BACKGROUND: Currently, adults with developmental disabilities in comprehensive care are assessed once every five years to determine the funding that their service providers will receive. If an individual's needs change within the five years, it is difficult to receive a reassessment of service needs for appropriate funding. At times, service providers are forced to file an exit notice to force the county to reassess the service funding.

Senate Bill 640-A requires Department of Human Services (DHS) to adopt rules to provide service assessment process and to develop a complaint process for client grievances.