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# MEMORANDUM

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**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 559-A  
Work Session Recommendations

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Senate Bill 559-A requires Department of Human Services to provide people with disabilities the opportunity to select from three placement options, which should include at least two different types of residential settings, for example a foster home and a group home. If the required options are not available within the desired geographic area or the client waives the right to options, DHS does not have to present them. There is also an exception to the option process if a client has a safety or health risk in the current placement setting. The bill also prohibits developmental disability job providers from giving job placement preference to clients receiving residential services from that same provider.

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 559-A to the Joint Committee on Ways and Means with a "do pass" recommendation.**

## Assignment of Carriers

Full: \_\_\_\_\_

2<sup>nd</sup> Chamber: \_\_\_\_\_

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 559 - A**

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

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

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

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**Measure Description:**

Requires Department of Human Services to provide adults with developmental disabilities needing comprehensive services the opportunity to choose from at least three options for placement prior to initial placement or transfer, subject to exceptions. Also requires equal access to job placements for all adults for all adults with developmental disabilities receiving comprehensive services.

**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 559 A-Engrossed requires the Department of Human Services (DHS) to provide an adult with developmental disabilities who is eligible to receive comprehensive services with at least three appropriate placement setting options, including at least two different types of residential settings before making an initial placement or transferring the adult from one placement setting to another. The bill also directs DHS to ensure that all individuals with developmental disabilities have equal access to employment opportunities regardless of where they live. As amended, the bill's requirements are generally consistent with the agency's current practices.

The A-Engrossed bill allows certain exceptions to the three placement option requirements. With this change, the Department of Human Services reports that the agency can implement the provisions of this bill with existing staff and resources. The bill specifies that DHS is not required to provide three placement options if: (1) the placement options are not available with the geographic area where the adult wishes to reside; (2) if the adult selects a placement setting option and waives the right to be presented with three options; and (3) if the adult is at imminent risk to health or safety in the current placement setting. This minimal fiscal determination also assumes that the agency is not required to create a tracking and reporting system to monitor and document the expectations of the bill on an event by event basis.

Joint Committee on Ways and Means

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

**Revenue:** No revenue impact

**Fiscal:** Fiscal statement issued

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**Action:**

**Vote:**

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

**Prepared By:** Laurie Byerly, Legislative Fiscal Office

**Meeting Date:** [Full Committee Meeting Date]

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**WHAT THE MEASURE DOES:** Specifies Department of Human Services or department’s designee shall present an adult with at least three placement-setting options and conditions of placement. Provides definitions. Specifies exemptions to placement options. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

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**EFFECT OF COMMITTEE AMENDMENT:** No amendment proposed

**BACKGROUND:** Currently, Oregonians with developmental disabilities who are placed in comprehensive care have limited choices for where they live or receive services. Proponents assert that generally the case manager influences the decision. Additionally, individuals that receive services are often given preference for job placement over eligible, qualified individuals that do not live in that particular group home.

Senate Bill 559-A requires Department of Human Services to provide people with disabilities the opportunity to select from three placement options; and ensure that they have equal opportunity for job placements.