

Senate Bill 640

Relating to services provided to adults with developmental disabilities

Senate Bill 640-A requires the Department of Human Services 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.

Reassessments must be completed no later than 90 days after receipt of a request. The Department must adopt rules, with stakeholder involvement, setting out the procedures and criteria for requesting, conducting, and contesting support assessments.

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

The Human Services Subcommittee recommends SB 640 be reported out do pass.

Joint Committee on Ways and Means

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

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do pass the A-Engrossed Measure

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Laurie Byerly, Legislative Fiscal Office

Meeting Date: June 12, 2013

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:

- Changes in support needs drive requests for reassessments
- Bill will clarify processes for reassessments
- Need a proactive system, not one driven by crisis
- Concern whether or not statutory changes will help improve agency performance

EFFECT OF COMMITTEE AMENDMENT: No amendment.

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.

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.