

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 2205 – B**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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Measure Description:

Requires Department of Human Services to adopt rules to ensure that investigations of abuse of vulnerable persons are conducted in uniform, objective and thorough manner throughout state.

Government Unit(s) Affected:

District Attorneys and their Deputies, Oregon Judicial Department, Department of Human Services (DHS), Oregon State Police, Department of Justice, Oregon Criminal Justice Commission

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:

House Bill 2205 A-Engrossed:

- Modifies the membership and scope, and extends the sunset date of the Elder Abuse Workgroup.
- Removes the sunset on language providing that financial institutions may be reimbursed for costs incurred in supplying copies of financial records in investigations of abuse of elderly cases.
- Adds attorneys, dentists, optometrists and chiropractors to the list of mandatory reporters.
- Removes “while acting in an official capacity” language with regards to mandatory reporting.
- Removes language requiring the filing of an elderly abuse report in order to have a six year statute of limitations rather than a three year statute of limitations.
- Specifies that the Oregon State Bar is mandated to adopt rules to establish minimum training requirements for all active members of the bar.

In addition, the bill removes the January 2, 2015 sunset on requirements that the district attorney in each county develop multidisciplinary teams to develop a written protocol for immediate investigation of, and notification procedures for cases of abuse of adults, and for interviewing the victims. These multidisciplinary teams must include personnel from community mental health programs, developmental disabilities programs, the Department of Human Services or designees of the department, local area agencies on aging, district attorneys' offices, law enforcement and agencies that advocates on behalf of individuals with disabilities. Each team is required to develop written agreements signed by member agencies specifying the role of each agency. In addition, each team is required to have access to training in risk assessment, dynamics of abuse and legally sound interview and investigatory techniques. All investigations of abuse of adults by the Department of Human Services or its designee and by law enforcement must be carried out in a manner consistent with the protocols and procedures developed by these multidisciplinary teams. Each multidisciplinary team must submit an annual report with detailed statistics of allegations of abuse for the preceding calendar year months to the Department of Justice and the Oregon Criminal Justice Commission, by no later than July 1 of each year.

The bill is anticipated to have an indeterminate, but anticipated to be minimal, fiscal impact on the district attorney in each county. District attorneys will need resources for continuing their multidisciplinary teams and providing training as well as establishing and maintaining information tracking systems so they can meet the reporting requirements of the bill. Because the State generally only pays for the

salaries of the 36 District Attorneys, it is assumed that county funding will have to cover these anticipated to be minimal costs.

This bill is anticipated to have no or minimal fiscal impact on the Department of Human Services, Oregon State Police, Department of Justice, Oregon Judicial Department, and the Oregon Criminal Justice Commission.