

Joint Committee on Ways and Means

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

**Revenue:** No revenue impact

**Fiscal:** Fiscal statement issued

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**Action:** Do Pass the A-Engrossed Measure as Amended and as Printed B-Engrossed

**Vote:** 25 – 0 – 1

House

Yeas: Barker, Buckley, Frederick, Freeman, Hanna, Huffman, Jenson, Komp, McLane, Nathanson, Richardson, Smith, Tomei, Williamson

Nays:

Exc: Read

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

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

**Meeting Date:** July 3, 2013

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**WHAT THE MEASURE DOES:** Expands duties of the Long Term Care Ombudsman (LTCO) to advocate for residents of care facilities who have mental illness or developmental disabilities and modifies various agency statutes to incorporate new responsibilities. Renames the Long Term Care Advisory Committee to Residential Facilities Advisory Committee and increases membership from seven to nine. Requires the Oregon Health Authority and the Department of Human Services to provide LTCO quarterly reports on the number of beds in residential facilities for which the LTCO is responsible. Provides for civil penalties associated with residential facilities and adult foster homes that serve persons with mental illness or developmental disabilities to be deposited into the Long Term Care Ombudsman Account instead of the Quality Care Fund.

**ISSUES DISCUSSED:**

- Need for these individuals to have an advocate
- LTCO is a nationally recognized model for advocacy
- Parallel model better than starting from scratch
- Agency has an incremental, carefully thought out roll out plan

**EFFECT OF COMMITTEE AMENDMENT:** Delays the start date for the program expansion by six months, making it operative July 1, 2014. It also changes the term “providing” to “licensed to provide” to clarify language regarding civil penalties paid into the Long Term Care Ombudsman Account.

**BACKGROUND:** The Office of the Long Term Care Ombudsman is an independent state agency that serves long term care facility residents through complaint investigation, resolution and advocacy for improvement in resident care. The mission of the Office of the Long Term Care Ombudsman is to enhance the quality of life, improve the level of care, protect the individual's rights and promote the dignity of each Oregon citizen residing in a long term care facility.

There are approximately 6,000 individuals with developmental or intellectual disabilities living in close to 1,000 licensed adult foster homes and 665 group homes in Oregon. An additional 2,500 individuals with mental or behavioral health disabilities are served in approximately 600 residential treatment homes and facilities. Most of these homes and facilities are quite small, with only 3-4 residents and they are scattered throughout Oregon.