

# House Bill 2030

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of former Representative Mike Schaufler)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Human Services and Oregon Health Authority to adopt by rule staffing ratios for residential facilities. Becomes operative 90 days after effective date of Act.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to staffing of residential facilities; creating new provisions; amending ORS 443.450; and  
3 declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 443.450 is amended to read:

6 443.450. (1) For a residential care facility, residential training facility or residential training  
7 home, the Director of Human Services shall adopt rules governing:

8 (a) The physical properties of the facility or home;

9 (b) Storage, preparation and serving of food;

10 (c) Care or training to be provided;

11 (d) The number, experience and training of the staff **and the ratio per shift of direct care**  
12 **staff to residents**; and

13 (e) Any other factors affecting the care or training provided.

14 (2) For a residential treatment facility or residential treatment home, the Director of the Oregon  
15 Health Authority shall adopt rules governing:

16 (a) The physical properties of the facility or home;

17 (b) Storage, preparation and serving of food;

18 (c) Treatment to be provided;

19 (d) The number, experience and training of the staff **and the ratio per shift of direct care**  
20 **staff to residents**; and

21 (e) Any other factors affecting the treatment provided.

22 (3) Distinct rules shall be adopted for homes of five or fewer residents, for facilities of six or  
23 more but fewer than 16 residents, and for facilities for 16 or more residents. The rules shall differ-  
24 entiate among categories of residents.

25 (4) For purposes of this section[,]:

26 (a) "Categories" refers to different populations of residents, differentiated by, but not limited to,  
27 age and need, as defined by the Department of Human Services or the Oregon Health Authority by  
28 rule.

29 (b) **"Direct care staff" does not include management staff.**

30 **SECTION 2. The amendments to ORS 443.450 by section 1 of this 2013 Act become oper-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1    **ative 90 days after the effective date of this 2013 Act.**

2        **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**  
3 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
4 **on its passage.**

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