

Enrolled
Senate Bill 104

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CHAPTER

AN ACT

Relating to a registry of persons who provide care in facilities; amending ORS 443.006; and declaring an emergency.

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

SECTION 1. ORS 443.006 is amended to read:

443.006. (1) As used in this section:

(a) **“Care” has the meaning given that term in ORS 181A.200.**

[(a)] (b) **“Facility” means:**

(A) A long term care facility as defined in ORS 442.015;

(B) A residential care facility as defined in ORS 443.400, including but not limited to an assisted living facility; and

(C) An adult foster home as defined in ORS 443.705[*, but does not include adult foster homes licensed to provide care to persons with developmental disabilities or mental illness*].

[(b)] (c) **“Home care worker” has the meaning given that term in ORS 410.600.**

(2) The Department of Human Services shall augment the department’s existing criminal background check system with a regularly updated registry of all persons who work or are seeking to work **to provide care.**

(3) The department shall adopt rules designating the persons who may be listed on the registry. The registry must list persons who work or are seeking to work to provide care:

(a) In a facility; or

(b) As a home care worker.

[(3) *A facility shall report information required pursuant to rules adopted by the department regarding persons who work or are seeking to work at the facility for maintenance of the registry established under subsection (2) of this section.*]

(4) The department shall adopt rules establishing:

(a) The information that must be reported by facilities;

(b) The form and frequency of reporting by facilities;

(c) Procedures and standards for the administration of the registry; and

(d) Guidelines and procedures for requests for and release of information from the registry.

SECTION 2. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by Senate April 4, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 25, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State