

SENATE AMENDMENTS TO SENATE BILL 1553

By COMMITTEE ON HEALTH CARE AND HUMAN SERVICES

February 12

1 On page 1 of the printed bill, line 14, delete “the” and insert “a”.

2 On page 2, delete lines 4 through 41 and insert:

3 **“SECTION 3. (1) The Long Term Care Ombudsman appointed under ORS 441.103, in con-**
4 **sultation with the Residential Facilities Advisory Committee, shall appoint the Oregon Public**
5 **Guardian and Conservator in the office of the Long Term Care Ombudsman for a four-year**
6 **term. The Oregon Public Guardian and Conservator serves at the pleasure of the Long Term**
7 **Care Ombudsman and may be removed by the Long Term Care Ombudsman for good cause.**
8 **If there is a vacancy for any cause, the Long Term Care Ombudsman shall make an ap-**
9 **pointment within 60 days. The Oregon Public Guardian and Conservator shall receive a salary**
10 **as fixed by the Long Term Care Ombudsman and be reimbursed for all reasonable travel and**
11 **other expenses incurred in the performance of official duties.**

12 **“(2) The Oregon Public Guardian and Conservator shall be responsible for carrying out**
13 **the powers, duties and functions of the Oregon Public Guardian and Conservator pursuant**
14 **to sections 2 to 7 of this 2014 Act, within the office of the Long Term Care Ombudsman, and**
15 **subject to the direction, supervision and control of the Long Term Care Ombudsman.**

16 **“(3) The Oregon Public Guardian and Conservator, in consultation with and subject to the**
17 **approval of the Long Term Care Ombudsman, may:**

18 **“(a) Hire or contract with volunteers, staff, deputy public guardians and conservators**
19 **and other qualified individuals, as necessary, to carry out the powers, duties and functions**
20 **of the Oregon Public Guardian and Conservator;**

21 **“(b) Prescribe the duties and assignments of persons hired or under contract with the**
22 **Oregon Public Guardian and Conservator;**

23 **“(c) Fix the compensation, including reasonable travel and other expenses incurred in the**
24 **performance of official duties, of persons hired by or under contract with the Oregon Public**
25 **Guardian and Conservator subject to the State Personnel Relations Law; and**

26 **“(d) Adopt rules to carry out the provisions of sections 2 to 7 of this 2014 Act.**

27 **“(4) The Long Term Care Ombudsman may hire or contract with staff to serve in the**
28 **office of the Long Term Care Ombudsman as necessary to carry out the powers, duties and**
29 **functions of the Long Term Care Ombudsman in supervising, monitoring, advising and sup-**
30 **porting the Oregon Public Guardian and Conservator as required under ORS 441.109.**

31 **“(5) The Oregon Public Guardian and Conservator may delegate the exercise or discharge**
32 **of any power, duty or function that is vested in or imposed by law upon the Oregon Public**
33 **Guardian and Conservator to a deputy public guardian and conservator, staff person or vol-**
34 **unteer hired by or under contract with the Oregon Public Guardian and Conservator as ap-**
35 **propriate for the purpose of conducting an official act in the name of the Oregon Public**

1 **Guardian and Conservator. The official act of any person acting in the name of the Oregon**
2 **Public Guardian and Conservator by the authority of the Oregon Public Guardian and**
3 **Conservator is an official act of the Oregon Public Guardian and Conservator.**

4 **“(6) The Oregon Public Guardian and Conservator may solicit and accept gifts, grants and**
5 **donations from public and private sources for the purpose of carrying out the provisions of**
6 **sections 2 to 7 of this 2014 Act, which moneys shall be deposited in the Long Term Care**
7 **Ombudsman Account established under ORS 441.153.”.**

8 On page 3, delete line 3 and insert:

9 “(3) Certify deputy public guardians and conservators.”.

10 In line 4, delete “the”.

11 In line 5, delete “guardian and conservator” and insert “guardians and conservators”.

12 In line 7, delete “the”.

13 In line 8, delete “guardian and conservator” and insert “guardians and conservators”.

14 In line 10, delete “the deputy public guardian” and insert “deputy public guardians”.

15 In line 11, delete “conservator” and insert “conservators”.

16 In line 23, after “who” insert “claims or”.

17 In line 25, delete “lacks” and insert “claims or is claimed to lack”.

18 In line 39, delete “Inquire” and insert “Determine”.

19 On page 4, line 7, delete “The” and insert “A”.

20 In line 9, delete the first “the” and insert “a”.

21 In line 21, delete “the” and insert “a”.

22 In line 31, after “or” insert “a”.

23 In line 40, after “or” insert “a”.

24 On page 5, line 6, delete “the deputy” and insert “a deputy”.

25 On page 6, line 3, delete “remote and rural”.

26 On page 11, line 14, delete “the” and insert “a”.

27 In line 33, delete “APPROPRIATION” and insert “APPROPRIATIONS”.

28 After line 39, insert:

29 **“SECTION 23. In addition to and not in lieu of any other appropriation, there is appro-**
30 **priated to the office of the Long Term Care Ombudsman for deposit into the Long Term Care**
31 **Ombudsman Account established under ORS 441.153, for the biennium beginning July 1, 2013,**
32 **out of the General Fund, the amount of \$_____ , which may be expended to carry out the**
33 **responsibilities of the Oregon Public Guardian and Conservator as provided in sections 2 to**
34 **7 of this 2014 Act.”.**

35 In line 43, delete “23” and insert “24”.

36 On page 12, line 3, delete “24” and insert “25”.

37 In line 17, delete “25” and insert “26”.