
MEMORANDUM

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To: Human Services Subcommittee of the Joint Committee on Ways and Means

From: Kim To, Legislative Fiscal Office, 503-986-1830

Date: Monday, June 22, 2015

Subject: HB 2547 Relating to housing
Work Session Recommendation

House Bill 2547 establishes the Task Force on Housing with Services charged with seeking input from stakeholders in order to recommend a definition for housing with services, defining consumer rights, setting standards for licensure and registration, and investigating the market demand for housing with services projects. The task force is required to report to an interim legislative committee by December 1, 2015. The task force also sunsets on December 1, 2015.

The measure previously had hearings in the House Committee on Human Services and Housing on 4/6/2015, and 4/17/2015.

The – A5 amendment, the original staff measure summary, and the fiscal impact statements are attached to this memo, and available on the Oregon Legislative Information System (OLIS).

The –A5 amendment

The –A5 amendment

- Adds an additional member to the task force
- Modifies the composition of task force members.

Fiscal Impact

The fiscal impact of this bill on the Department of Human Services, the Legislative Assembly, the Long Term Care Ombudsman, the Housing and Community Services Department, the Oregon Department of Veterans' Affairs, the Department of Justice, and counties is anticipated to be minimal. The dash A5 amendment does not change this minimal determination.

Recommendation

LFO recommends moving the – A5 amendment into the bill.

Motion

Motion: Senator/Representative _____:

I move the dash A5 amendment into HB 2547.

Motion

Motion: Senator/Representative _____:

I move HB 2547 to the Full Committee with a “do pass” recommendation as amended.

Assignment of Carriers

Full: _____

Senate: _____

House: _____

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2547**

1 On page 1 of the printed A-engrossed bill, line 4, delete “15” and insert
2 “16”.

3 In line 7, after “Senate” insert “, one of whom is a Democrat and one of
4 whom is a Republican”.

5 In line 9, after “Representatives” insert “, one of whom is a Democrat and
6 one of whom is a Republican”.

7 In line 21, delete “and”.

8 In line 23, delete the period and insert “; and

9 “(J) One individual from the Housing and Community Services Depart-
10 ment.”.

11 On page 2, delete line 1.

12 In line 2, delete “(b)” and insert “(a)”.

13 In line 3, delete “(c)” and insert “(b)”.

14 In line 5, delete “(d)” and insert “(c)”.

15 In line 6, delete “(e)” and insert “(d)”.

16 In line 7, delete “(f)” and insert “(e)”.

17 In line 8, delete “(g)” and insert “(f)”.

18 In line 9, delete “(h)” and insert “(g)”.

19

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 2547 - A5**Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Kim To
Reviewed by: Steve Bender, Linda Gilbert
Date: 6/12/2015

Measure Description:

Establishes Task Force on Housing with Services.

Government Unit(s) Affected:

Department of Human Services (DHS), Housing and Community Services Department, Long Term Care Ombudsman, Oregon Health Authority (OHA), Oregon Youth Authority (OYA), counties

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 2547 with the – A5 amendment establishes the 16-member Task Force on Housing with Services charged with seeking input from stakeholders in order to recommend a definition for housing with services, defining consumer rights, setting standards for licensure and registration, and investigating the market demand for housing with services projects. The task force is required to report to an interim legislative committee by December 1, 2015. The task force also sunsets on December 1, 2015. The bill contains an emergency clause and is effective on passage.

Department of Human Services (DHS)

DHS is required to provide staff support and to the task force, and reimburse the eleven non-Legislative members of the task force for travel and other expenses incurred in their performance of task force duties out of funds appropriated to DHS for purposes of the task force. However, the bill does not appropriate additional funds to DHS, which would seem to suggest that expenses for reimbursement and staff support are intended to come from its Legislatively Approved Budget, which does not contemplate expenditures specifically for this purpose. The bill allows the task force to meet and times and places specified by the call of the chair or a majority of the voting members. The fiscal impact of this bill depends on the scope of work undertaken by the task force, as well as the number of meetings, and geographic location of task force members. At a minimum, DHS estimates the agency would need a potential \$15,434 Total Funds to reimburse task force members.

Legislative Assembly

Four members of the task force will be Legislative members who are entitled to per diem and travel reimbursement. Although the 2015-17 Legislative Branch budget contains funds allocated for interim committee and task force, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2015-17 budget, additional General Fund resources may be required.

Long Term Care Ombudsman, Housing and Community Services Department, Oregon Department of Veterans' Affairs, Department of Justice, counties

The fiscal impact of this bill to Long Term Care Ombudsman, Housing and Community Services Department, Oregon Department of Veterans' Affairs, Department of Justice, and counties is anticipated to be minimal.

STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

Fiscal: Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/17/15**Action:** Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Ways And Means.**Meeting Dates:** 04/06, 04/17**Vote:**

Yeas: 5 - Evans, Gallegos, Keny-Guyer, Piluso, Taylor

Nays: 4 - Buehler, Hayden, Parrish, Stark

Prepared By: Robyn Johnson, Committee Administrator

WHAT THE MEASURE DOES:

Directs Department of Human Services to convene and staff *The Task Force on Housing with Services* to define housing with services; define consumer rights; set standards for licensure and registration; and define safety standards. Specifies task force membership. Directs DHS to enact six month moratorium on new housing with services facilities. Sunsets task force on December 31, 2015. Requires report to legislature on or before December 31, 2015.

ISSUES DISCUSSED:

- Housing and services for elders and people in need
- Evaluating service needs of residents

EFFECT OF COMMITTEE AMENDMENT:

Replaces original measure.

BACKGROUND:

Housing with Services is a pilot project partially funded by The Patient Protection and Affordable Care Act (or Affordable Care Act or ACA) that began in September 2014. The pilot serves 1,400 seniors and people with disabilities living in 11 publicly-subsidized apartment buildings, located primarily in downtown Portland. The population includes seniors, families, and others with special needs, all living in publicly-subsidized housing and receiving wraparound services. The pilot is meant to increase housing stability, improve access to health and social services, improve health outcomes and reduce health care costs.

House Bill 2547-A creates a task force to help reach consensus on definitions, rules and practices to inform and make consistent service delivery standards in *Housing with Services* facilities.

A-Engrossed
House Bill 2547

Ordered by the House April 23
Including House Amendments dated April 23

Sponsored by Representatives HOYLE, GILLIAM (Presession filed.)

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.

[Requires housing with services facility to register with Housing and Community Services Department. Specifies requirements for registration.]

[Requires notification to housing with services facility if sex offender seeks admission to facility.]

[Allows expanded practice dental hygienists to render services to residents of housing with services facility.]

Creates Task Force on Housing with Services. Specifies membership and duties. Requires report to interim committees related to human services and housing no later than December 1, 2015. Sunsets task force December 31, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to housing; and declaring an emergency.

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

SECTION 1. (1) The Task Force on Housing with Services is established, consisting of 15 members appointed as follows:

(a) The President of the Senate shall appoint two members from among members of the Senate.

(b) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives.

(c) The Governor shall appoint the following members:

(A) One individual representing a Housing with Services project;

(B) Two individuals representing an affordable housing provider, a health care organization that serves medical assistance recipients or a community-based social service provider;

(C) One individual representing counties;

(D) One individual from the division of the Department of Human Services that administers programs for seniors and people with disabilities;

(E) One individual representing a residential care facility;

(F) Two individuals representing statewide nonprofit organizations that advocate for the service needs of seniors;

(G) One individual from a labor union that represents home care workers;

(H) The Long Term Care Ombudsman or a designee of the ombudsman; and

(I) One individual from the division of the Department of Human Services that licenses residential facilities.

(2) The task force shall seek input from stakeholders including, but not limited to:

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 **(a) The Housing and Community Services Department;**
2 **(b) The Department of Veterans' Affairs;**
3 **(c) The director of the division in the Department of Justice responsible for consumer**
4 **protection;**
5 **(d) County governments;**
6 **(e) Nonprofit civil legal services organizations;**
7 **(f) Residents of residential facilities for seniors;**
8 **(g) Providers of services to residents of housing facilities; and**
9 **(h) Organizations that advocate for seniors.**
10 **(3) The task force shall recommend:**
11 **(a) A definition for a Housing with Services project that addresses the physical charac-**
12 **teristics of the facility, the types of residents served, the supportive and health services that**
13 **are available and how the services are provided;**
14 **(b) Consumer protections to address resident expectations, needs and grievances within**
15 **a Housing with Services project;**
16 **(c) Whom the residents may rely upon to assist them in advocating for their rights;**
17 **(d) Whether a standardized tenancy contract should be developed and, if so, what stand-**
18 **ard provisions should be included;**
19 **(e) Which government agency should be responsible for ensuring that residents' rights**
20 **are protected, reports of abuse are quickly and thoroughly investigated and residents have**
21 **a voice and avenue to express concerns and grievances;**
22 **(f) Whether a Housing with Services project should be licensed or registered and, if so,**
23 **what the thresholds and standards for licensing or registration should be and which gov-**
24 **ernment agency should do the licensing or registration;**
25 **(g) Whether there are differences that should be addressed between a Housing with Ser-**
26 **vices project and other licensed and unlicensed congregate senior supportive housing; and**
27 **(h) The safety standards for a Housing with Services project including:**
28 **(A) Fire safety, evacuation requirements, emergency and disaster preparedness and**
29 **building codes; and**
30 **(B) Whether there should be standards for resident acuity based on the scope of sup-**
31 **portive and health services provided, building code standards and potential safety risks.**
32 **(4) The task force shall investigate the market demand for Housing with Services**
33 **projects.**
34 **(5) A majority of the voting members of the task force constitutes a quorum for the**
35 **transaction of business.**
36 **(6) Official action by the task force requires the approval of a majority of the voting**
37 **members of the task force.**
38 **(7) The task force shall elect one of its members to serve as chairperson.**
39 **(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
40 **ment to become immediately effective.**
41 **(9) The task force shall meet at times and places specified by the call of the chairperson**
42 **or of a majority of the voting members of the task force.**
43 **(10) The task force may adopt rules necessary for the operation of the task force.**
44 **(11) All meetings of the task force are subject to ORS 192.610 to 192.690.**
45 **(12) The task force shall submit a report in the manner provided by ORS 192.245, and**

1 may include recommendations for legislation, to the interim committees of the Legislative
2 Assembly related to human services and housing as appropriate no later than December 1,
3 2015.

4 (13) The Department of Human Services shall provide staff support to the task force.

5 (14) Members of the task force who are not members of the Legislative Assembly are not
6 entitled to compensation, but may be reimbursed for actual and necessary travel and other
7 expenses incurred by them in the performance of their official duties in the manner and
8 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
9 of the task force shall be paid out of funds appropriated to the Department of Human Ser-
10 vices for purposes of the task force.

11 (15) All agencies of state government, as defined in ORS 174.111, are directed to assist
12 the task force in the performance of its duties and, to the extent permitted by laws relating
13 to confidentiality, to furnish such information and advice as the members of the task force
14 consider necessary to perform their duties.

15 **SECTION 2.** The Department of Human Services may not commit financial resources to
16 a new Housing with Services project until the earlier of the date on which the Task Force
17 on Housing with Services submits its report to the interim committees of the Legislative
18 Assembly or December 31, 2015.

19 **SECTION 3.** Section 1 of this 2015 Act is repealed on December 31, 2015.

20 **SECTION 4.** This 2015 Act being necessary for the immediate preservation of the public
21 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
22 on its passage.
23
