

STAFF MEASURE SUMMARY

House Committee On Revenue

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/23/15

Action: Do Pass.

Meeting Dates: 04/13, 04/23

Vote:

Yeas: 6 - Bentz, Davis, Johnson, Lininger, Read, Vega Pederson

Exc: 3 - Barnhart, Smith Warner, Whitsett

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WHAT THE MEASURE DOES:

Prohibits court from charging Long-Term Care Ombudsman (LTCO) or Disability Rights Oregon (DRO) fee for filing objection to petition or motion in protective proceeding. Applies to protective proceedings commenced on or after the effective date.

ISSUES DISCUSSED:

- Filing fees, \$250.00.
- Respondent will be without a guardian.
- Those with a guardian will be protected.

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The Long-Term Care Ombudsman (LTCO) provides free services to residents of long term care facilities. The services include complaint investigation, advocacy, and consultations. Additionally, the LTCO is responsible for oversight of the newly created Office of Public Guardian, which will provide guardianship services to those who have no suitable guardian or conservator amongst friends or relatives and cannot afford a professional guardian. Disability Rights Oregon (DRO) is a non-profit law office that provides advocacy and legal services to people with disabilities. Under current law, a court may not charge a respondent or a protected person a fee for filing an objection to a guardianship petition or any other motion in the protective proceeding.

House Bill 2361A prohibits courts from charging the LTCO and DRO a fee for filing a motion or objection to a petition in a protective proceeding.