

STAFF MEASURE SUMMARY

House Committee On Consumer Protection and Government Effectiveness

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/19/15

Action: Do Pass.

Meeting Dates: 05/12, 05/19

Vote:

Yeas: 5 - Fagan, Holvey, McLain, Nearman, Rayfield

Nays: 1 - Stark

Exc: 1 - Buehler

Prepared By: Patrick Brennan, Committee Administrator

WHAT THE MEASURE DOES:

Exempts Oregon Health Authority and Department of Human Services from certain provisions relating to acquiring, holding or disposing of real property or equitable interest in real property or in mineral or geothermal resource right. Becomes operative January 1, 2016. Declares emergency, effective on passage.

ISSUES DISCUSSED:

Streamlines existing processes

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Federal and state law require the Oregon Health Authority (OHA) and the Department of Human Services (DHS) to have Estate Recovery Programs for public programs such as Medicaid for long-term care recipients. DHS and OHA are required to seek reimbursement from the assets of a deceased individual, with certain exceptions, for some or all of the benefits the individual received. As part of the estate recovery process, DHS acquires the title to residential real property, pursuant to the authority granted under ORS 410.075 and ORS 411.340. Due to the fact that the process to sell state-owned real property is time consuming and expensive, the Department of Veterans' Affairs and the Housing and Community Services Department are exempt from these requirements. Senate Bill 224 grants OHA and DHS the same exemptions for the real property that the Estate Recovery Program acquires.