

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 3230 - A

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  
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Date: 5/27/2015**Measure Description:**

Modifies registration requirements for certain residential facilities.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA)

**Summary of Expenditure Impact:**

	2015-17 Biennium	2017-19 Biennium
Personal Services	\$166,011	\$166,001
Services & Supplies	39,000	29,059
<b>TOTAL GENERAL FUND</b>	<b>\$205,011</b>	<b>\$195,060</b>
Positions	1	1
FTE	1.00	1.00

**Summary of Revenue Impact:**

	2015-17 Biennium	2017-19 Biennium
Registration Fees	2,000	2,000
<b>Total Other Funds</b>	<b>\$2,000</b>	<b>\$2,000</b>

**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 3230 modifies statutes governing the licensing of residential treatment facilities and homes, as well as registered residential facilities. The bill:

- Defines “community-based structured housing” to mean congregate housing, excluding residential care or treatment, where services and support are provided by the owner and operator of the facility to assist residents who have mental, emotional, behavioral or substance abuse disorders.
- Defines “congregate housing” to mean housing in which each resident has a private or shared bedroom or living quarters and shares with other residents a dining room, recreational room and other common areas.
- Requires the owner or operator of a community-based structured housing facility offered to the general public to register with either the Oregon Health Authority (OHA) or the Department of Human Services (DHS) if the facility meets certain conditions. The bill establishes this registration fee at \$20.
- Directs DHS and OHA to establish by rule the standards for these community-based structured housing facilities.
- Authorizes DHS and OHA to impose a civil penalty not to exceed \$200 for facilities operating without registration or violation of standards.

- Stipulates that rules must be developed to seek to reduce any redundancies for facilities that are subject to multiple federal, state, or local regulatory reviews.
- Permits the DHS and OHA to waive the registration process if the authority determines that the review of another governmental entity was substantially similar or superior to OHA's review.
- Authorizes OHA to investigate complaints regarding these facilities, including complaints of abuse.

The bill contains an emergency clause and takes effect on passage.

Currently, there are programs that house and provide services to individuals where neither the setting, nor the services provided meet the statutory definition of a residential treatment facility or home. Therefore, the Oregon Health Authority does not have the authority to license these programs, and these facilities are not subject to any of the safeguards provided by statutes governing residential treatment facilities. This bill would authorize OHA to establish licensing standards and review processes to ensure the safety and well-being of individuals with mental illness or substance use disorders living in congregate housing settings.

If this bill becomes law, the Addictions and Mental Health Services Division of the Oregon Health Authority will take on the responsibility of carrying out the provisions of the bill. OHA estimates the fiscal impact of this bill to be \$205,011 General Fund and 1.00 FTE for the 2015-17 biennium. This amount reflects the Personal Services and related Services and Supplies for one Compliance Specialist 3 position charged with overseeing the registration and inspection for these newly defined community-based structured housing facilities. This bill conservatively projects that approximately 50 of these newly defined facilities would require registration per year.