

A-Engrossed
House Bill 2756

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

Sponsored by Representatives WILLIAMSON, GREENLICK; Representative FAGAN (Pre-session 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 licensing agency to adopt rules to ensure that caregivers in licensed residential facilities and adult foster homes have practical knowledge and skills necessary to maintain health, safety and welfare of residents. Requires providers to annually report to licensing agency on compliance with training requirements.]

Creates task force to study training of direct care staff who support individuals with intellectual or developmental disabilities. Specifies membership and duties. Requires report to interim legislative committees related to human services no later than December 1, 2015.

Sunset December 31, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the training of residential care staff; and declaring an emergency.

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

4 **SECTION 1. (1) A task force is established to study the training of direct care staff who**
5 **support individuals with intellectual or developmental disabilities. The task force consists of**
6 **32 members as follows:**

7 (a) **The President of the Senate shall appoint one member from among members of the**
8 **Senate.**

9 (b) **The Speaker of the House of Representatives shall appoint one member from among**
10 **members of the House of Representatives.**

11 (c) **All of the members of the Home Care Commission are appointed to the task force.**

12 (d) **The Director of Human Services shall appoint the following members:**

13 (A) **One individual from the developmental disability services program in the Department**
14 **of Human Services;**

15 (B) **Two developmental disability services providers;**

16 (C) **Two direct support professionals;**

17 (D) **One representative of a support services brokerage;**

18 (E) **One individual from a community developmental disabilities program;**

19 (F) **Two foster care providers;**

20 (G) **One adult who receives developmental disability services;**

21 (H) **One parent or guardian of an individual under 18 years of age who receives develop-**
22 **mental disability services;**

23 (I) **One individual who provides direct care in a crisis and stabilization unit;**

24 (J) **One individual who provides direct care in a residential training home;**

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 **(K) One specialist in early intervention services;**
2 **(L) One special education teacher or an individual representing special education de-**
3 **partment teachers;**
4 **(M) One educational assistant or a representative of educational assistants;**
5 **(N) One child care provider or a representative of child care providers;**
6 **(O) Two members of advocacy organizations that focus on issues affecting individuals**
7 **with intellectual or developmental disabilities; and**
8 **(P) Two personal support workers or two representatives of personal support workers.**
9 **(2) The task force shall develop recommendations for a competency-based training and**
10 **credentialing curriculum to ensure that direct care staff have the training to be competent**
11 **support professionals so that this state is fully prepared to meet the direct care needs of**
12 **Oregonians with intellectual or developmental disabilities.**
13 **(3) The task force shall:**
14 **(a) Examine and recommend competency-based training and credentialing tools available**
15 **in this state and nationally that are designed to recruit and retain direct care workers and**
16 **provide a professional career path;**
17 **(b) Compare evidence-based training modules to the current support professional core**
18 **competencies established by the Centers for Medicare and Medicaid Services and this state;**
19 **(c) Utilize current research from the National Direct Service Workforce Resource Cen-**
20 **ter;**
21 **(d) Examine and recommend training and credentialing tools that address the support**
22 **needs of individuals with intellectual or developmental disabilities throughout their lifetimes;**
23 **and**
24 **(e) Examine and recommend training or credentialing tools that broadly address all as-**
25 **pects of the support needs of individuals with intellectual or developmental disabilities in-**
26 **cluding, but not limited to:**
27 **(A) The ethical aspects of support services;**
28 **(B) Supporting children with disabilities;**
29 **(C) Supporting seniors with disabilities;**
30 **(D) Employment of individuals with intellectual or developmental disabilities;**
31 **(E) Inclusion and integration into the community of individuals with intellectual or de-**
32 **velopmental disabilities;**
33 **(F) The personal care needs of individuals with intellectual or developmental disabilities;**
34 **and**
35 **(G) The mental health needs of individuals with intellectual or developmental disabilities.**
36 **(4) A majority of the voting members of the task force constitutes a quorum for the**
37 **transaction of business.**
38 **(5) Official action by the task force requires the approval of a majority of the voting**
39 **members of the task force.**
40 **(6) The task force shall elect one of its members to serve as chairperson.**
41 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
42 **ment to become immediately effective.**
43 **(8) The task force shall meet at times and places specified by the call of the chairperson**
44 **or of a majority of the voting members of the task force.**
45 **(9) The task force may adopt rules necessary for the operation of the task force.**

1 (10) The task force shall submit a report in the manner provided by ORS 192.245, and
2 may include recommendations for legislation, to the interim committees of the Legislative
3 Assembly related to human services as appropriate no later than December 1, 2015.

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

5 (12) 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 (13) 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. Section 1 of this 2015 Act is repealed on December 31, 2015.

16 SECTION 3. This 2015 Act being necessary for the immediate preservation of the public
17 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
18 on its passage.