

SB 834 -1 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 3/8, 3/27

WHAT THE MEASURE DOES:

Requires Department of Human Services to develop proposal for creation of human rights commission. Requires department to report findings and proposal to Legislative Assembly by September 1, 2017. Declares emergency, effective on passage.

FISCAL: May Have Fiscal Impact, But No Statement Yet Issued

REVENUE: May Have Revenue Impact, But No Statement Yet Issued

ISSUES DISCUSSED:

- Importance of independence for intellectually and developmentally disabled people
- Necessity for and structure of proposed human rights commission
- Current protection of existing rights under federal and state law
- Possible amendments

EFFECT OF AMENDMENT:

-1 Modifies preamble to include family members, guardians, friends, and caregivers in addition to service providers as those who sometimes restrict activities and freedoms of disabled individuals. Changes DHS' reporting date for proposal to December 1, 2017.

FISCAL: May Have Fiscal Impact, But No Statement Yet Issued

REVENUE: May Have Revenue Impact, But No Statement Yet Issued

BACKGROUND:

Federal law protects the rights of intellectually and developmentally disabled individuals. However, sometimes these rights are unnecessarily restricted and oversight is necessary to protect the rights of disabled individuals. Several states have commissions or agencies dedicated to adjudicating the rights of individuals with disabilities. For example, Arizona has a Human Rights Committee on Persons with Developmental Disabilities (housed in the Department of Economic Security) to review incidents regarding developmentally disabled people. Georgia has a similarly structured Human Rights Council. Washington has an independent Human Rights Commission which administers and enforces the state's "Law Against Discrimination," which covers discrimination against mentally disabled people in public accommodations, employment, housing, and credit & insurance. Various other states have related human rights-related authorities for the protection of vulnerable populations. Oregon has no such commission.

Senate Bill 834 directs the Department of Human Services (DHS) to develop a proposal for creating an independent human rights commission, for the purpose of adjudicating the dignity and basic rights of persons with intellectual and developmental disabilities. The proposal is required to address necessary legislative changes, projected costs, the independence of the commission, comparisons with other states' commissions, and enumeration of basic rights protected by the commission. Senate Bill 834 requires DHS to submit its proposal to the interim human services and This Summary has not been adopted or officially endorsed by action of the committee.

health committees of the legislature by September 1, 2017.

PRELIMINARY