

SB 834 STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

Prepared By: Cassandra Soucy, LPRO Analyst

Meeting Dates: 4/27, 5/4

WHAT THE MEASURE DOES:

Requires Department of Human Services (DHS) to develop proposal for establishing an independent human rights commission to safeguard dignity and human rights for individuals with intellectual or developmental disabilities.

Requires DHS to report findings and proposal to Legislative Assembly by December 1, 2017.

Repeals proposal development on December 31, 2017. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Restriction of rights/choices for individuals with development or intellectual disabilities
- Development of proposal for human rights commission
- Service plans for individuals with development or intellectual disabilities

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Federal law protects the rights of intellectually and developmentally disabled individuals. However, sometimes these rights are unnecessarily restricted and oversight is necessary. 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 and insurance. Various other states have human rights-related authorities for the protection of vulnerable populations. Oregon currently has no such commission.

Senate Bill 834-A 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-A requires DHS to submit its proposal to the interim committees related to human services and health of the legislature by December 1, 2017.