



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

MEMORANDUM

DATE: February 21, 2017

TO: Honorable Alissa Keny-Guyer, Chair
House Human Services and Housing Committee

FROM: Cheryl Hiemstra, Deputy Legislative Director

SUBJECT: House Bill 2661 – Long Term Care Referrals

This testimony is presented in support of House Bill 2661.

BACKGROUND

Oregon's population is aging: the Census Bureau found that nearly all of Oregon's 36 counties saw their 65-and-over population grow by more than 10 percent between July 2010 and July 2014. As more Oregonians enter their older years, more Oregonians may need more care. At times, this population can be very vulnerable while coming out of an unexpected hospital stay, or dealing with memory issues. In such a moment, Oregonians need accurate information.

For this hour of need, an industry has blossomed – long term care referral. Providers range from single agents to larger internet-based corporations. Often, the referral provider is paid by the facility where a placement is made, not by the person needing placement. Business models range from highly personalized, local service, to more data-driven internet search engines. Providers usually gather a range of personal information, sometimes very sensitive information such as medical needs and mental health issues. Oregonians' information needs to be respected.

Confusion has arisen in this area. A problem has arisen where many well-intentioned people unknowingly sign up their loved one online, and the information is used in unexpected ways.

CONCEPT

The Department of Justice is working with stakeholders to find an amenable amendment to House Bill 2661. As with many new industries, there needs to be a balance between curbing deceptive practices and allowing for new models. Strong language will need to include clear and helpful disclosures about how referral agents are paid, about what they do with personal information, and about the services they perform. Currently, there is no oversight on this industry, and HB2661 should include a piece for oversight as well.

Contact: Cheryl Hiemstra, Deputy Legislative Director, 503-378-6002, Cheryl.Hiemstra@doj.state.or.us