

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 2685**

79th Oregon Legislative Assembly – 2017 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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Date: 3/27/2017

**Measure Description:**

Requires Department of Human Services or designee of department to offer adult with intellectual or developmental disability who qualifies for comprehensive services at least one placement other than congregate living arrangement.

**Government Unit(s) Affected:**

Department of Human Services (DHS)

**Analysis:**

House Bill 3685 requires the Department of Human Services (DHS) to offer to every eligible adult with intellectual or developmental disability at least one placement setting other than congregate living arrangement. These placement settings could include the individual's own private home or the home of a family member.

The fiscal impact of this bill on DHS is indeterminant. As worded, the bill may obligate DHS to assume the responsibility for ensuring that the private home is physically and financially maintained. Thereby, resulting in additional service and funding commitments for DHS, including expenditures that would not be eligible for federal Medicaid match.

Currently, Office of Developmental Disabilities Services (ODDS) is required to offer a non-disability specific setting option for Medicaid services through the requirements of the federal Medicaid Home and Community-Based Services and Setting rules which are mirrored administrative rules. Under current practice, an individual may choose to have services in a setting that is not owned, controlled, or operated by a service provider. In this case, housing, household expenses, and maintenance are covered by the individual, the individual's family, community programs, and/or public assistance services outside the scope and funding authority of ODDS. ODDS does not deny an individual the choice to receive services in a private or family home arrangement, but an individual may forego the private home or family home arrangement due to a lack of financial resources to maintain independent housing or a desire for features that are typically found in licensed settings, such as continuous, active caregiver availability 24 hours per day.

Passage of this bill could result in a significant General Fund impact if it is interpreted to expand the existing requirement to obligate ODDS to fund this housing option, including household maintenance activities and expenses for the individual.