

HB 3273 STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

Action Date: 04/18/17

Action: Without recommendation as to passage and be referred to Rules.

Vote: 9-0-0-0

Yeas: 9 - Gorsek, Keny-Guyer, Meek, Nearman, Noble, Olson, Piluso, Sanchez, Stark

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Modifies requirements relating to evacuation of residents of adult foster homes. Directs Department of Human Services (DHS) to promulgate rules and issue license as “conversion facility” to long term care facility converting to residential care facility. Modifies definition of “residential care facility”. Directs DHS to adopt rules governing use of electronic monitoring devices by resident in facility.

ISSUES DISCUSSED:

- Abuses in care facilities
- Management of care facilities
- Population of Oregonians using care facilities

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law requires adult foster homes to meet all state and local building safety and sanitation requirements to obtain a certification. Licensing agencies are also required to consult with the Department of Consumer and Business Services (DCBS) and the State Fire Marshal to insure the adequate evacuation capabilities of residents in a facility.

The Department of Human Services (DHS) is responsible for the licensing of long term care facilities, and separately, residential facilities. Under current law, if a facility wishes to change its designation from a long term care facility to a residential facility, the facility has to apply for a separate license from DHS.

House Bill 3273 modifies the requirements for evacuation of adult foster home residents to be within three minutes or within applicable life safety requirements if the home has an approved sprinkler system. The bill also requires DHS to establish standards for licensing of “conversion facilities” and requires the department to issue such licenses to properly qualified long term care facilities that want to convert to a licensed residential care facility. Finally, House Bill 3273 requires DHS to adopt rules regulating the use of “electronic monitoring devices” by a resident to monitor their room and restricts a facility from restricting a resident’s use of such devices.