

SB 834 A STAFF MEASURE SUMMARY

Carrier: Rep. Piluso

House Committee On Human Services and Housing

Action Date: 05/04/17

Action: Do Pass the A-Eng bill.

Vote: 6-3-0-0

Yeas: 6 - Gorsek, Keny-Guyer, Meek, Piluso, Sanchez, Stark

Nays: 3 - Nearman, Noble, Olson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) was enacted by the federal government to assure that individuals with developmental disabilities and their families participate in the design of and have access to services, supports, and other assistance promoting self-determination, independence, productivity, and integration and inclusion in all facets of community life. The DD Act provides funding to states for creation of a state council to advocate and protect individuals with disabilities. Oregon Council on Developmental Disabilities works to determine goals and objectives to support individuals with developmental disabilities in Oregon.

Several states have also established commissions or agencies dedicated to the rights of individuals with developmental and intellectual 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 individuals with developmental disabilities. 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 individuals with intellectual disabilities in public accommodations, employment, housing, and credit and insurance. Several other states have established human rights-related oversight for the protection of individuals with developmental disabilities. 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 dedicated to the dignity and basic rights of persons with intellectual and developmental disabilities. The proposal is required to address necessary legislative changes, any projected costs, the independence of the commission, comparisons with other states' commissions, and determining the 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.