

Senate Bill 104

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Human Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies provisions relating to registry of persons who provide care in certain facilities.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to a registry of persons who provide care in facilities; amending ORS 443.006; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 443.006 is amended to read:

6 443.006. (1) As used in this section:

7 (a) **“Care” has the meaning given that term in ORS 181A.200.**

8 [(a)] (b) “Facility” means:

9 (A) A long term care facility as defined in ORS 442.015;

10 (B) A residential care facility as defined in ORS 443.400, including but not limited to an assisted
11 living facility; and

12 (C) An adult foster home as defined in ORS 443.705[, *but does not include adult foster homes li-*
13 *censed to provide care to persons with developmental disabilities or mental illness*].

14 [(b)] (c) “Home care worker” has the meaning given that term in ORS 410.600.

15 (2) The Department of Human Services shall augment the department’s existing criminal back-
16 ground check system with a regularly updated registry of all persons who work or are seeking to
17 work **to provide care**.

18 (3) **The department shall adopt rules designating the persons who may be listed on the**
19 **registry. The registry must list persons who work or are seeking to work to provide care:**

20 (a) In a facility; or

21 (b) As a home care worker.

22 [(3) *A facility shall report information required pursuant to rules adopted by the department re-*
23 *garding persons who work or are seeking to work at the facility for maintenance of the registry es-*
24 *tablished under subsection (2) of this section.*]

25 (4) The department shall adopt rules establishing:

26 (a) The information that must be reported by facilities;

27 (b) The form and frequency of reporting by facilities;

28 (c) Procedures and standards for the administration of the registry; and

29 (d) Guidelines and procedures for requests for and release of information from the registry.

30 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
2 **on its passage.**

3
