



Testimony on SB 19

Adult foster home licensing, mandatory abuse reporting expansion, eligibility criteria, and civil penalty authority

January 22, 2018

Dear Chair Gelser and Members of Senate Committee on Human Services,

On behalf of the Association of Oregon Community Mental Health Programs (AOCMHP), we are taking a neutral position on SB 19, offering two recommendations for your consideration.

AOCMHP's membership includes 32 Community Developmental Disability Programs across Oregon, operated through Community Mental Health Programs, by not-for-profit entities that contract with local government or that contract directly with the DHS/ODDS. CDDPs help assure the protection and safety of over 25,000 Oregonians with I/DD in collaboration with families and providers, and provide case management services to over 17,000 children and adults eligible for services.

We support the DHS and OHA adopting adult foster home rules for those providing care to people with I/DD and with mental illness as well as older adults. We also support the language addition: "(ff) An individual who is paid by a public body, in accordance with ORS 430.215, to provide a service identified in an individualized written service plan of a child with a developmental disability" as a required mandatory abuse reporter.

In Section 7, there is proposed deleted language in ORS 427.005 concerning eligibility criteria. We understand the intent is to allow ODDS/DHS to make necessary changes to eligibility when there are federal, medical or DSM definition changes, and not to change eligibility criteria. We recommend adding language clarifying the types of changes that could be made by ODDS to assure Oregon's compliance with federal law, and if they could be made through a rule revision or would require a statutory change.

Secondly, we recommend Section 8 (1) concerning DHS authority to impose civil penalties to be amended as follows: "The Department of Human Services may impose a civil penalty, in accordance with ORS 183.745, on any agency or organization that violates a statutory requirement or a rule adopted by the department applicable to the provision of services described in ORS 409.010 (2)." This revision replaces 'any person', which would be a personal support worker or other individual not associated with an agency.

We will be happy to work with ODDS on any amendments to SB 19.

Sincerely,

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Director, AOCMHP

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