



Senate Committee on Judiciary

Senate Bill 681

Oregon Department of Veterans' Affairs Testimony | February 5, 2019

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Summary

The purpose of this written testimony is to provide the Senate Committee on Judiciary with background and information on programs within the Oregon Department of Veterans' Affairs that will be impacted by Senate Bill 681. These programs are the conservatorship program, the representative payee program, and its two skilled nursing facilities.

Background on SB 681

Senate Bill 681 creates a process where a person with disabilities, defined as “any person who has a physical or mental impairment that substantially limits one or more major life activities including, but not limited to, independent living, self-direction, self-care, mobility, communication, learning, education, medical care, financial decision-making and safety, may enter into a legal contract (“supported decision-making agreement”) with another person who will provide “support” (aka the “supporter”) to the “supported person” in making life decisions.

“Life decisions” includes, but is not limited to, decisions regarding any of the following: (a) Where the person wants to live; (b) With whom the person wants to live; (c) The services, supports and medical care the person wants to receive; (d) Where the person wants to work; (e) With whom the person wants to associate; (f) The educational and learning goals of the person.

Oregon Department of Veterans' Affairs: Conservatorship and Representative Payee

ODVA has both a conservatorship program and a representative payee program that serve our most fragile veterans. The 300 veterans the agency serves meet the definition of “disabled person” in SB 681 because each has a “physical or mental impairment that substantially limits one or more major life activities including * * * financial decision-making.”

In the conservatorship program, Oregon Department of Veterans' Affairs serves as a fiduciary and manages the finances of “protected persons.” As a representative payee, ODVA manages finances and pays bills for veterans who are required by the federal VA or Social Security Administration to have someone serve as a representative payee.

If the supported services program were established, the workload to the conservatorship and representative payee staff will likely increase because, instead of working only with the veterans and their families, staff will also need to be working with and contacting the “supporter” of the veteran. ODVA’s conservatorship and representative payee programs are very labor-intensive programs that are currently working over-capacity and the addition of a new program will increase staff time for each veteran case. In addition, there will be record-keeping and legal requirements.

It is difficult to determine the actual costs to add “supporters” to these programs because it is unknown how many veterans will want to take advantage of the program.

Oregon Department of Veterans' Affairs: Two Skilled Nursing Facilities

Oregon Department of Veterans' Affairs owns two skilled nursing facilities, one in The Dalles and one in Lebanon. These facilities provide short-term and long-term nursing care and memory care. In 2018, these two homes cared for a total of 462 veteran residents.

ODVA anticipates the same increase in workload for the homes. Again, it is difficult to determine the actual costs to add “supporters” to these programs because it is unknown how many veterans will want to take advantage of the program.