



February 25, 2019

Dear Chair Senator Prozanski, Vice Chair Senator Thatcher, and Members of the Committee:

My name is Anna Keenan-Mudrick, and I am the Legislative Chair for the Community Providers Association of Oregon (CPAO), which represents over 20 agencies who serve Oregon's citizens who experience intellectual and developmental disabilities in various parts of the state.

I am submitting this written testimony to communicate **CPAO's strong Support of Senate Bill 725**. This bill would essentially put in place much needed changes to how several types of non-violent crimes are considered in the state's determination of eligibility to either maintain employment, or to be initially hired as an employee. These changes include reasonable statutes of limitation on non-violent crimes, such as DUII, or previous charges/convictions no longer deemed illegal with changes to our state's allowance for marijuana use, in addition to decreasing provider and state administrative workload associated with current position change recheck requirements.

Why does CPAO support this bill?

There are many long time, hard-working, committed employees across the state who have been adversely impacted by state criminal history check decisions made within the framework of existing statute regarding the consideration of non-violent crimes in the "Fitness Determination" process. The impact of the current process is multi-layered, and ultimately, also negatively impacts those we support who experience IDD, creating more risk; which we believe is counter to the intent of the current law.

First layer of Impact: to Oregonians Who Have Chosen a Fulfilling, Underpaid Career in IDD Services
Provider agencies across the state have shared stories of hard working, skilled, dedicated employees, serving in a wide range of roles and service settings, who have lost their jobs under existing criteria in the Fitness Determination Process. In these cases, mistakes have been made personally, in situations in which no one was hurt, in which they are going through the proper steps to remedy, and where there was no direct, associated impact or risk to those served by their employer/provider-agency. **Many who have sacrificed and committed their careers to this challenging yet noble profession, are being removed from their positions for these mistakes made outside of work, and in situations that do not pose risk from an employer/workplace perspectives.**

Please make no mistake, CPAO fully agrees with the law, and in no way condones illegal behavior such as previous illegal use of marijuana or of DUII, but we do not believe these types of personal legal issues should result in job loss, i.e. those appropriately covered in ORS 443.004, and are confident that the other many nuances and protections of the bill provide ample safeguards. This is a minor change in the bigger picture.

Next Layer of Impact: to Oregonians Who Experience IDD, Who Lose Trusted Staff In Current Process

The applicable, current fitness determination criteria/process adversely impacts individuals who experience intellectual and developmental disabilities, a group of individuals that is already faced with stress and risk, in the midst of our present, unprecedented unsustainable level of staff turnover – **The current framework and process has taken many beloved staff from those we support who experience IDD, in a time in which they need them most = a time of unprecedented staff turnover.**

Final Layer of Impact: to Provider Capacity/Viability = Health & Safety of Oregonians with IDD

Weeding out tried, true and tested employees, in addition to much needed new, promising job candidates who could excel in and help stabilize the field of IDD services, exacerbates the growing IDD workforce crisis. Any contributor to staff turnover further increases health and safety risk to those we support, particularly when it includes long time, trusted employees who have built their careers in this field, having developed much experience and knowledge specific to our field and to specific individuals served in provider organizations.

Removing employees in this context adds risk to individuals served. **Fewer Employees = More Risk to Health and Safety. Fewer Long Time/Skilled Employees = More Risk to Health and Safety.** And in the even bigger picture, the associated removals of these employees from their positions has created further organizational instability in a time in which the demand for services outweighs provider capacity, and the more agencies “hold” or downsize due to lack of capacity, **Increasingly More Individuals with IDD are left unserved or underserved = More Risk to Health and Safety.**

Although this is only one of many factors contributing to the current state of provider fragility, this bill will help provide some relief in a very real way. Additionally, the passage of this bill would provide fair consideration and treatment to many incredible Oregonians who have dedicated much, and in some cases their entire career, to serving those who experience IDD.

In Appreciation of Your Partnership and Support,



Anna Keenan-Mudrick, MSW
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