

SB 493 A STAFF MEASURE SUMMARY**Carrier:** Sen. Gelser**Senate Committee On Human Services****Action Date:** 04/09/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Jamie Hinsz, LPRO Analyst**Meeting Dates:** 2/12, 4/9**WHAT THE MEASURE DOES:**

Establishes nine-member Oregon Human Rights Commission (Commission) within the Department of Human Services (DHS), appointed by Governor to safeguard the dignity and basic human rights of individuals with intellectual or developmental disabilities. Specifies composition of Commission and prohibits appointment for more than two consecutive three-year terms. Directs Commission to establish a statewide regional advisory committee system by rule to conduct informational hearings concerning violations of rights of individuals who have an intellectual or developmental disability. Replaces requirement that DHS promote dispute resolution with Commission authority to investigate complaints.

ISSUES DISCUSSED:

- Authority of Commission to make decisions regarding violations of rights
- Enforcement of decisions made by Commission
- Conflicts of interest among members appointed to Commission

EFFECT OF AMENDMENT:

Modifies purpose of Commission to safeguard the dignity and basic human rights of individuals who have an intellectual or developmental disabilities. Modifies composition of appointees. Removes proposed language requiring Commission consult with Oregon Council on Developmental Disabilities and Oregon Self Advocacy Coalition. Modifies authority of Commission to review allegations of rights violations and request information relevant to complaints.

BACKGROUND:

The federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 provides funding for the creation of councils at the state level to advocate for and protect individuals with disabilities. In matters of alleged rights violations, the Oregon Department of Human Services (DHS) is currently required to promote dispute resolution. In 2017, Senate Bill 834 directed DHS to develop a proposal for the creation of an independent human rights commission dedicated to the dignity and basic rights of individuals with intellectual and developmental disabilities. DHS convened a work group and collaborated on a proposal that included goals and purposes for a human rights commission distinct from existing work groups, systems, processes, and stakeholder groups, that resulted in Senate Bill 493.

Senate Bill 493 A establishes the Oregon Human Rights Commission (Commission) within DHS to safeguard the dignity and basic human rights of individuals who have an intellectual or developmental disability. The measure specifies membership of the Commission and directs it to establish a statewide regional advisory committee system to conduct informational hearings concerning violations of the rights of individuals who have an intellectual or developmental disability. The measure also requires the Commission to receive reports of rights violations and authorizes it to request and receive information relevant to complaints.