

**SB 1519 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Noble

**House Committee On Human Services and Housing**

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**Action Date:** 02/19/20

**Action:** Do Pass the A-Eng bill.

**Vote:** 8-0-1-0

**Yeas:** 8 - Helt, Keny-Guyer, Mitchell, Noble, Sanchez, Schouten, Williams, Zika

**Exc:** 1 - Meek

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** James Leyba, LPRO Analyst

**Meeting Dates:** 2/17, 2/19

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**WHAT THE MEASURE DOES:**

Directs the Department of Human Services (DHS) and the Oregon Health Authority (OHA), when conducting a criminal records check review of a subject individual for fitness determination, to not consider a misdemeanor conviction for operating a vehicle or boat while under influence of intoxicants, if the subject individual had no more than one similar conviction in the five-year period prior to the date of the records check. Reduces period from two years to 18 months for which DHS and OHA complete criminal records checks of:

- residential facility or adult foster home employees
- individuals paid directly or indirectly with public funds who have or will have contact with support services recipients
- residents of an adult foster home or residential facility, Home Care Commission home care workers, or personal support workers

Provides authorization for DHS and OHA to complete records checks of individuals listed above more frequently than once during an 18-month period if, based on department or authority rules, it would be burdensome for a subject individual to wait for a new criminal records check. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Bill 725 (2019) background checks
- Delayed background checks for certain individuals
- Long-term care registry and lapses currently experienced by long-term care employees
- Average wage of \$14.00 for long-term care providers
- Frequency of misdemeanors for driving a boat while under the influence of intoxicants

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

When evaluating the fitness of an individual as an employee, contractor, or volunteer, the Department of Human Services (DHS) and the Oregon Health Authority (OHA) are prohibited from considering a conviction for driving under the influence of intoxicants if it is a single conviction and over five years have passed since the conviction. DHS and OHA are also prohibited from conducting a criminal records check more than once every two-years on certain employees.

Senate Bill 1519-A prohibits DHS and OHA from considering a misdemeanor conviction for operating a vehicle or boat while under the influence of intoxicants, if the individual had no more than one similar conviction in the five years prior to the criminal records check. The measure also allows DHS or OHA to conduct a criminal records check more than once during an 18-month period if DHS or OHA determines it would be burdensome for a subject

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individual to wait for a new criminal records check.