



Oregon

Kate Brown, Governor



Oregon Department of Human Services

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Senator Gelsler, Chair

Senator Anderson, Vice Chair

Members of the Senate Committee on Human Services, Mental Health & Recovery

From: Oregon Department of Human Services, Governor's Advocacy Office

Re: HB 2106 Letter of Information

The Governor's Advocacy Office (GAO) within the Oregon Department of Human Services (ODHS) helps affected parties work through questions, concerns, or complaints related to ODHS services or departmental action. The office includes the ODHS ombuds program, the office of the Children's Advocate, the Foster Care Ombuds, civil rights and discrimination investigations and oversight for the agency's formal complaint process. This office is functionally independent of the programs under its review and reports regularly to the ODHS Director and the office of the Governor on the status of the complaints.

The GAO has operated as an ombuds office and has performed ombudsman services as permitted by ORS 182.500 since 1993. Given the nature of their duties, most GAO staff bear the title of Ombudsman and are trained in issue and dispute resolution.

The International Ombudsman Association [defines several types of Ombuds offices](#). The GAO and proposed Office of the Human Services Ombuds fits their definition of "Executive Ombuds." As defined, executive ombuds may be located in either the public or private sector and receive complaints concerning actions and failures to act of the organization, its officials, employees, and contractors. An executive ombuds may either work to hold the organization or one of its programs accountable or work with the organization's officials to improve the performance of a program.

The Coalition of Federal Ombudsman also [characterizes several types of Ombuds](#). By their definitions, GAO and the proposed Office of the Human Services Ombuds would also be considered an Executive Ombuds. The Coalition of Federal Ombudsman in addressing the independence of their Ombuds, who often work

["Assisting People to Become Independent, Healthy and Safe"](#)

within the agencies they review, stated “[t]o ensure independence, the federal Ombuds should report and have direct access to the highest agency official, whenever possible.” This is consistent with GAO practice.

One of the goals of [HB 2106](#) was to update the name of GAO to the Office of Human Services Ombuds to more accurately reflect the role of the office. [According to the United States Ombudsman Association \(USOA\)](#), the public sector Ombuds’ “job is not to become an advocate for the complainant or the governments they have jurisdiction over. Ombudsman are charged with collecting and evaluating all of the facts regarding a matter as a neutral investigator. They determine if there was an error, unfairness or harm by the agency involved, or no basis to the complaint. Ombudsman make recommendations to correct wrongs done to individuals to improve the administration of government. If their recommendations are not accepted and good reasons not given, the ombudsman may become an advocate for their implementation.”

The GAO’s position within ODHS has afforded instant access to ODHS records, staff, and when deemed necessary, ODHS leadership. This has enabled GAO to largely respond to complaints within two business days. We are committed to continuing to improve our office and the service we provide to Oregonians and HB 2106 will further our efforts.

Respectfully submitted,

Zachary Gehringer, GAO Administrator