

SB 86 A STAFF MEASURE SUMMARY

House Committee On Human Services

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Meeting Dates: 5/3, 5/19

WHAT THE MEASURE DOES:

Authorizes the Department of Human Services (DHS) and the Oregon Health Authority (OHA) to revoke, suspend, or condition residential training home and residential training facility licenses, including immediate suspension authority, in the event of noncompliance or specified harms to residents pursuant to rules adopted by the relevant licensing entity. Adds requirement for licensing entities to consider an applicant's past performance and experience in any jurisdiction pursuant to rules adopted by the licensing entity. Requires identification of persons on licenses who have at least a five percent ownership interest in the subject facility.

Fiscal Impact: No Fiscal Impact

Revenue Impact: No Revenue Impact

Senate Committee on Human Services, Mental Health and Recovery: pass with amendments unanimously.

Senate: Passed. Ayes, 26; Nays, 1--Heard; Excused, 3--Linthicum, Robinson, Wagner.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Health Authority (OHA) and the Department of Human Services (DHS) are responsible for licensing and regulating all manner of care providers and care facilities, which includes express authority to issue, deny, suspend, and revoke licenses. Upon receipt of an application to license a residential training home or residential training facility, the licensing agency is currently required to consider the applicant's regulatory and operational history, willingness to serve the relevant population, and willingness to contract with the agency for certain services; and only the names of licensees, operators, and facility owners are currently required to be identified on the license.

Senate Bill 86A clarifies that licensing entities are authorized to impose conditions on a licensee for certain noncompliance, as well as to revoke or immediately suspend, by expressly authorizing same pursuant to the licensing agency's rules. The measure also broadens a licensing agency's authority to evaluate an applicant's history, to include consideration of the applicant's history in any jurisdiction. Finally the measure requires individuals with at least a five percent ownership interest in a licensed facility to be identified on the license.