

SB 105 A STAFF MEASURE SUMMARY

Carrier: Sen. Gelser Blouin

Senate Committee On Human Services

Action Date: 04/03/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 4-1-0-0

Yeas: 4 - Gelser Blouin, Manning Jr, Prozanski, Weber

Nays: 1 - Robinson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/15, 3/29, 4/3

WHAT THE MEASURE DOES:

Adds the restraint or seclusion and the infliction of corporal punishment of an adult with a developmental disability to the definition of abuse, when in violation of existing laws.

ISSUES DISCUSSED:

- Administrative and fiscal burdens on individuals who need support workers
- Short-term and long-term goals for the Office of Developmental Disabilities Services (ODDS)
- Medicaid resources and services, preventing fraud and abuse

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Supports for Adults with [Intellectual and Developmental Disabilities \(I/DD\)](#) are available for a wide range of needs, from individuals who live in their own home or with family or friends to individuals who need up to 24-hour comprehensive services. [The Office of Developmental Disability Services offers services](#) can be accessed through local Community Developmental Disabilities Programs or Support Services Brokerages. The Department of Human Services (DHS) establishes an Individual Support Plan with each individual to identify supports provided based upon their health and safety needs, interests, choices, and goals.

Abuse on a person 18 years of age or older who has a developmental disability who is currently receiving services from a community program, has a severe and persistent mental illness who is receiving mental health treatment from a community program, or is receiving services for a substance use disorder or a mental illness in a facility or a state hospital is defined in ORS 430.735. Abuse is defined as any: abandonment, physical injury by other than accidental means, willful infliction of physical pain or injury, sexual abuse, neglect, verbal abuse, financial exploitation, involuntary seclusion, wrongful use of a physical or chemical restraint.

Senate Bill 105 A adds the restraint or seclusion and the infliction of corporal punishment of an adult with a developmental disability to the definition of abuse, when in violation of existing laws.