

SB 201 STAFF MEASURE SUMMARY

Carrier: Rep. Nguyen H

House Committee On Early Childhood and Human Services**Action Date:** 05/08/23**Action:** Do Pass.**Vote:** 6-0-4-0**Yeas:** 6 - Andersen, Hartman, Nelson, Neron, Nguyen H, Reynolds**Exc:** 4 - Cramer, Elmer, Hieb, Scharf**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Matthew Perreault, LPRO Analyst**Meeting Dates:** 5/8**WHAT THE MEASURE DOES:**

Removes requirement for community developmental disabilities program and support service brokerage to have written management plan that governs operating structure, goals, and activities. Modifies statutory reference for requirement for private corporation operating a community developmental disabilities program on behalf of county or Department of Human Services to solicit competition when awarding subcontracts. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Services provided by case management entities
- Operational structure governing case management entities

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law guarantees the rights of individuals with intellectual and developmental disabilities (IDD) to participate in their communities, receive voluntary services, reside in a place of their choosing, and otherwise live independently and seek a meaningful life (ORS 427.107). The law further declares the state's policy to recognize that individuals with IDD and society as a whole benefit when those individuals are given opportunities to exercise choice and self-determination, live and work in their communities, be supported by their families, and receive appropriate services, and outlines a policy framework for the Department of Human Services (DHS) to manage a statewide plan for delivering community-based services to these individuals (ORS 427.007). The Office of Developmental Disability Services (ODDS) within DHS manages home and community-based services for individuals with IDD through Medicaid under the Community First Choice option, or "K Plan," as provided by sections 1915(c) and 1915(k) of the federal Social Security Act and section 2401 of the Affordable Care Act. Oregon is one of five states to provide this type of care to individuals with IDD under its state Medicaid plan.

While DHS manages the statewide structure for this system, services are delivered through a statewide network of 36 community developmental disabilities programs (CDDPs) and 14 support services brokerages, collectively known as case management entities (CMEs). Under current law, CMEs are currently required to maintain written management plans that govern how the entities operate to deliver services, including structure, goals, and activities (ORS 430.664). Senate Bill 20 (2019) modified the regulatory and governance structure of CMEs and expanded their role by requiring DHS to delegate additional responsibilities for service delivery through contracts and regular reporting.

Senate Bill 201 removes the statutory requirement for CMEs to maintain a written management plan.