

A-Engrossed Senate Bill 47

Ordered by the Senate April 8
Including Senate Amendments dated April 8

Sponsored by Senators JAMA, MANNING JR (at the request of Governor Tina Kotek) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act gets rid of old public entities and changes laws about old activities of public entities. (Flesch Readability Score: 62.8).

Eliminates obsolete public entities and modifies laws about obsolete activities of public entities.

A BILL FOR AN ACT

1
2 Relating to obsolete activities of public entities; creating new provisions; amending ORS 31.276,
3 409.162, 411.072, 411.093, 411.877, 411.890, 411.892, 411.896, 412.009, 430.631 and 442.870; and re-
4 pealing ORS 31.280, 182.310, 182.320, 182.330, 182.360, 411.075, 411.886, 411.888, 430.050, 431A.300,
5 431A.303, 431A.305, 431A.308, 431A.310, 431A.313, 431A.315, 431A.318, 431A.320, 431A.323,
6 431A.325, 431A.500, 431A.505 and 431A.510.

7 **Be It Enacted by the People of the State of Oregon:**

SPINAL CORD INJURY RESEARCH BOARD

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11 **SECTION 1. ORS 431A.500, 431A.505 and 431A.510 are repealed.**

EMPLOYEE SUGGESTION AWARDS COMMISSION

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15 **SECTION 2. ORS 182.310, 182.320, 182.330 and 182.360 are repealed.**

FAMILY SERVICES REVIEW COMMISSION

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19 **SECTION 3. ORS 411.075 is repealed.**

20 **SECTION 4. ORS 409.162 is amended to read:**

21 409.162. (1) The Department of Human Services shall collaborate with its existing advisory
22 groups to identify and implement workload efficiencies in the state agencies that administer pro-
23 grams providing:

- 24 (a) Child welfare services under ORS 418.005;
25 (b) Temporary assistance for needy families under ORS 412.006;
26 (c) Nutritional assistance under ORS 411.816;
27 (d) Medical assistance eligibility determinations under ORS 411.404;
28 (e) Services to elderly persons and to persons with disabilities under ORS 410.070 and 412.014;

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 and

2 (f) Vocational rehabilitation services under ORS 344.530.

3 (2) The department shall collaborate with the following advisory groups and other groups des-
4 ignated by the department in identifying and implementing workload efficiencies:

5 (a) The advisory committee created by ORS 418.005 (2).

6 [(b) *The Family Services Review Commission established under ORS 411.075.*]

7 [(c) (b) The State Independent Living Council established by Executive Order 94-12.

8 [(d) (c) The advisory committee established under ORS 344.735.

9 [(e) (d) Area agency advisory councils required under ORS 410.210.

10 [(f) (e) The Governor's Commission on Senior Services created by ORS 410.320.

11 **SECTION 5.** ORS 411.072 is amended to read:

12 411.072. (1) As used in this section "policy change" includes any change in the operation of
13 public assistance programs that affects recipients adversely in any substantial manner, including but
14 not limited to the denial, reduction, modification or delay of benefits. "Policy change" does not in-
15 clude any procedural change that affects internal management but does not adversely and substan-
16 tially affect the interest of public assistance recipients.

17 (2) The Department of Human Services may submit applications for waiver of federal statutory
18 or regulatory requirements to the federal government or any agency thereof. Prior to the submission
19 of any application for waiver that involves a policy change, and prior to implementation, the de-
20 partment shall do the following:

21 (a) Conduct a public process regarding the waiver application or application for waiver re-
22 newals;

23 (b) Prepare a complete summary of the testimony and written comments received during the
24 public process;

25 (c) Submit the application for waiver or application for waiver renewals involving a policy
26 change to the legislative review agency, as described in ORS 291.375, and present the summary of
27 testimony and comments described in this section; and

28 (d) Give notice of the date of its appearance before the Emergency Board[,] **and** the Joint In-
29 terim Committee on Ways and Means or the Joint Committee on Ways and Means in accordance
30 with ORS 183.335[, *and before the Family Services Review Commission*].

31 **SECTION 6.** ORS 411.093 is amended to read:

32 411.093. (1) All applicants for and recipients of public assistance shall be treated in a courteous,
33 fair and dignified manner by Department of Human Services personnel.

34 (2) Any applicant or recipient who alleges discourteous, unfair or undignified treatment by de-
35 partment personnel or alleges that incorrect or inadequate information regarding public assistance
36 programs has been provided by department personnel may file a grievance with the department. The
37 department shall publicize the grievance system in each local office.

38 (3) The grievance shall be discussed first with the supervisor of the employee against whom the
39 grievance is filed. If the grievance is not resolved, the applicant or recipient may discuss the
40 grievance with the local office manager.

41 (4) The department shall compile a monthly report summarizing each grievance filed against
42 department personnel and the action taken. The report shall identify each grievance by local office
43 and indicate the number of grievances filed against individual employees. The report shall protect
44 the anonymity of department personnel. The report shall be presented to [*the Family Services Review*
45 *Commission and to*] all county public welfare boards.

1 411.877. As used in ORS 411.877 to 411.896:

2 [(1) “Board” means the JOBS Plus Advisory Board established in ORS 411.886.]

3 [(2)] (1) “Job opportunities and basic skills program” means the program described in ORS
4 412.009.

5 [(3)] (2) “JOBS Plus” or “program” means the JOBS Plus Program established in ORS 411.878.

6 [(4)] (3) “Supplemental Nutrition Assistance Program” has the meaning given that term in ORS
7 411.806.

8 **SECTION 10.** ORS 411.890 is amended to read:

9 411.890. A JOBS Plus Implementation Council shall be established in service areas to be deter-
10 mined by the Director of Human Services to assist [*the JOBS Plus Advisory Board and*] the De-
11 partment of Human Services in the administration of the JOBS Plus Program and to allow local
12 flexibility in dealing with the particular needs of each county. Each council shall be primarily re-
13 sponsible for recruiting and encouraging participation of employment providers in the county. Each
14 council shall be composed of seven members who shall be appointed by the county commissioners
15 in each county in the district. Council members shall be residents of the district in which they are
16 appointed and shall serve four-year terms. Six members of the council shall be from the local busi-
17 ness community. At least one member shall be a current or former recipient of the temporary as-
18 sistance for needy families program or the Supplemental Nutrition Assistance Program.

19 **SECTION 11.** ORS 411.892 is amended to read:

20 411.892. (1)(a) All employers, including public and private sector employers within the State of
21 Oregon, are eligible to participate in the JOBS Plus Program. The Department of Human Services
22 shall adopt by rule a method to disqualify employers from participating in the program. No employer
23 is required to participate in the JOBS Plus Program. In the event that there are unassigned partic-
24 ipants whom no employer desires to utilize, the participants may be assigned to work for a public
25 agency.

26 (b) The maximum number of program participants that any employer is authorized to receive at
27 any one time may not exceed 10 percent of the total number of the employer’s employees. However,
28 each employer may receive one participant. The Director of Human Services may waive the limit in
29 special circumstances.

30 (c) The Department of Human Services by rule shall establish criteria for excluding employers
31 from participation for failure to abide by program requirements, showing a pattern of terminating
32 participants prior to the completion of training or other demonstrated unwillingness to comply with
33 the stated intent of the program.

34 (2) The Department of Human Services shall ensure that jobs made available to program par-
35 ticipants:

36 (a) Do not require work in excess of 40 hours per week;

37 (b) Are not used to displace regular employees or to fill unfilled positions previously established;
38 and

39 (c) Do not pay a wage that is substantially less than the wage paid for similar jobs in the local
40 economy with appropriate adjustments for experience and training.

41 (3)(a) Eligibility for the program shall be limited to residents who are:

42 (A) Adults and caretaker relatives who are receiving temporary assistance for needy families
43 benefits;

44 (B) Adult Supplemental Nutrition Assistance Program recipients except as described in sub-
45 section (5)(b) of this section; and

1 (C) Unemployed noncaretaker parents of children who are receiving temporary assistance for
2 needy families benefits.

3 (b) In addition to those residents eligible for the program under paragraph (a) of this subsection,
4 additional residents who are seeking employment may be eligible for the program if there are
5 legislatively allocated funds available in the temporary assistance for needy families budget of the
6 Department of Human Services.

7 (4)(a) Individuals desiring work through the program shall contact the nearest Department of
8 Human Services office serving the county in which they reside if they are temporary assistance for
9 needy families program or Supplemental Nutrition Assistance Program applicants or recipients or
10 noncustodial parents of individuals receiving temporary assistance for needy families.

11 (b) With the assistance of the local JOBS Plus Implementation Councils [*and the JOBS Plus*
12 *Advisory Board*], the Department of Human Services shall develop a job inventory of sufficient size
13 to accommodate all of the participants who desire to work in the program. In consultation with the
14 participant, the department shall try to match the profile of each participant with the needs of an
15 employer when assigning a participant to work with the employer.

16 (c) Either the employer or the participant may terminate the assignment by contacting the ap-
17 propriate Department of Human Services office. In such event, the Department of Human Services
18 shall reassess the needs of the participant and assign the participant to another JOBS Plus Program
19 placement or another job opportunity and basic skills program component and, at the employer's
20 request, provide the employer with another participant.

21 (d)(A) If after four months in a placement, a participant has not been hired for an unsubsidized
22 position, the employer shall allow the worker to undertake eight hours of job search per week.
23 Participating employers shall consider such time as hours worked for the purposes of paying wages.

24 (B) If after six months in a placement, a participant has not been hired for an unsubsidized po-
25 sition, the placement shall be terminated, and the caseworker shall reassess the participant's em-
26 ployment development plan.

27 (e) The Department of Human Services may pay placement and barrier removal payments to
28 temporary assistance for needy families program and Supplemental Nutrition Assistance Program
29 participants as necessary to enable participation in the JOBS Plus Program.

30 (f) The Department of Human Services shall accept eligible volunteers into the program prior
31 to mandating program participation by eligible persons.

32 (5)(a) Assignment of participants to available jobs shall be based on a preference schedule de-
33 veloped by the Department of Human Services. Any temporary assistance for needy families recipi-
34 ent or supplemental nutrition assistance recipient may volunteer for the program.

35 (b) The following individuals may not be required to participate in the program:

36 (A) Recipients under the temporary assistance for needy families program and the Supplemental
37 Nutrition Assistance Program who are eligible for Supplemental Security Income benefits or other
38 ongoing state or federal maintenance benefits based on age or disability.

39 (B) Supplemental nutrition assistance applicants or recipients who are employed full-time or are
40 college students eligible for supplemental nutrition assistance and enrolled full-time in a community
41 college or an institution of higher education, or enrolled half-time in a community college or an in-
42 stitution of higher education and working at least 20 hours per week.

43 (C) Teenage parents who remain in high school if progressing toward a diploma. Teenage par-
44 ents not in school are eligible for the JOBS Plus Program.

45 (c) The Department of Human Services shall provide life skills classes and opportunities to

1 achieve a certificate for passing an approved high school equivalency test such as the General Ed-
2 ucational Development (GED) test to appropriate participants in conjunction with working in the
3 JOBS Plus Program.

4 (d) Subject to subsection (7) of this section, temporary assistance for needy families and sup-
5 plemental nutrition assistance shall be suspended at the end of the calendar month in which an
6 employer makes the first wage payment to a participant who is a custodial parent in a family that
7 receives temporary assistance for needy families or to any adult member of a household receiving
8 supplemental nutrition assistance. Failure of the participant to cooperate with the requirements of
9 the JOBS Plus Program may result in the participant's removal, in accordance with rules adopted
10 by the Department of Human Services, from the JOBS Plus Program and suspension of the
11 participant's temporary assistance for needy families grant and supplemental nutrition assistance.
12 A temporary assistance for needy families and supplemental nutrition assistance recipient who has
13 been removed from the program for failing to cooperate shall be eligible to reapply to participate
14 in the program and shall have eligibility for program services determined without regard to the
15 length of time the person was not participating following removal.

16 (6)(a) Employers shall pay all participating individuals at least the hourly rate of the Oregon
17 minimum wage.

18 (b) Sick leave, holiday and vacation absences shall conform to the individual employer's rules
19 for temporary employees.

20 (c) Group health insurance benefits shall be provided by the employer to program participants
21 if, and to the extent that, state or federal law requires the employer to provide such benefits.

22 (d) All persons participating in the JOBS Plus Program shall be considered to be temporary
23 employees of the individual employer providing the work and shall be entitled only to benefits re-
24 quired by state or federal law.

25 (e) Employers shall provide workers' compensation coverage for each JOBS Plus Program par-
26 ticipant.

27 (7) In the event that the net monthly full-time wage paid to a participant would be less than the
28 level of income from the temporary assistance for needy families program and the supplemental nu-
29 trition assistance amount equivalent that the participant would otherwise receive, the Department
30 of Human Services shall determine and pay a supplemental payment as necessary to provide the
31 participant with that level of net income. The department shall determine and pay in advance sup-
32 plemental payments to participants on a monthly basis as necessary to ensure equivalent net pro-
33 gram wages. Participants shall be compensated only for time worked.

34 (8) In addition to and not in lieu of the payments provided for under subsections (6) and (7) of
35 this section, participants shall be entitled to retain the full child support payments collected by the
36 Department of Justice.

37 (9) In conformity with existing state day care program regulations, child day care shall be pro-
38 vided for all program participants who require it.

39 (10) JOBS Plus Program employers shall:

40 (a) Endeavor to make JOBS Plus Program placements positive learning and training experiences;

41 (b) Maintain health, safety and working conditions at or above levels generally acceptable in the
42 industry and no less than that of comparable jobs of the employer;

43 (c) Provide on-the-job training to the degree necessary for the participants to perform their du-
44 ties;

45 (d) Recruit volunteer mentors from among their regular employees to assist the participants in

1 becoming oriented to work and the workplace; and

2 (e) Sign an agreement to abide by all requirements of the program, including the requirement
3 that the program not supplant existing jobs. All agreements shall include provisions noting the
4 employer's responsibility to repay reimbursements in the event the employer violates program rules.
5 When a professional placement service, professional employment organization or temporary employ-
6 ment agency is acting as an employer pursuant to subsection (13) of this section, agreements under
7 this paragraph shall require a three-party agreement between the professional placement service,
8 professional employment organization or temporary employment agency, the organization where the
9 participant has been placed to perform services and the State of Oregon. The three-party agreement
10 shall include provisions requiring that all JOBS Plus reimbursements received by the professional
11 placement service, professional employment organization or temporary employment agency be cred-
12 ited to the organization where the participant has been placed to perform services.

13 (11) Program participant wages shall be subject to federal and state income taxes, Social Secu-
14 rity taxes and unemployment insurance tax or reimbursement as applicable under ORS chapter 657,
15 which shall be withheld and paid in accordance with state and federal law. Supplemental payments
16 made pursuant to subsection (7) of this section shall not be subject to state income taxes under ORS
17 chapter 316 and, to the extent allowed by federal law, shall not be subject to federal income taxes
18 and Social Security taxes.

19 (12)(a) The Department of Human Services shall reimburse employers for the employers' share
20 of Social Security, unemployment insurance and workers' compensation premiums paid on behalf of
21 program participants referred to the employer by the Department of Human Services, as well as the
22 minimum wage earnings paid by the employer to program participants referred to the employer by
23 the Department of Human Services.

24 (b) If the Department of Human Services finds that an employer has violated any of the rules
25 of the JOBS Plus Program, the department:

26 (A) Shall withhold any amounts due to employers under paragraph (a) of this subsection.

27 (B) May seek repayment of any amounts paid to employers under paragraph (a) of this sub-
28 section.

29 (13) For purposes of this section, "employer" shall include professional placement services, pro-
30 fessional employment organizations and temporary employment agencies.

31 **SECTION 12.** ORS 411.896 is amended to read:

32 411.896. The Department of Human Services shall submit an annual written report to the Leg-
33 islative Assembly and the Governor containing a full and complete analysis of the JOBS Plus Pro-
34 gram. The report shall include recommendations [*from the department and the JOBS Plus Advisory*
35 *Board*] regarding appropriate revisions to the program.

36
37 **POISON PREVENTION TASK FORCE**

38
39 **SECTION 13.** ORS 431A.300, 431A.303, 431A.305, 431A.308, 431A.310, 431A.313, 431A.315,
40 431A.318, 431A.320, 431A.323 and 431A.325 are repealed.

41 **SECTION 14.** ORS 442.870, as amended by section 27, chapter 32, Oregon Laws 2024, is
42 amended to read:

43 442.870. (1) The Emergency Medical Services Enhancement Account is established separate and
44 distinct from the General Fund. Interest earned on moneys in the account shall accrue to the ac-
45 count. All moneys deposited in the account are continuously appropriated to the Department of

1 Revenue for the purposes of this section.

2 (2) The Department of Revenue shall distribute moneys in the Emergency Medical Services En-
3 hancement Account in the following manner:

4 (a) 35 percent of the moneys in the account shall be transferred to the Office of Rural Health
5 established under ORS 442.475 for the purpose of enhancing emergency medical services in rural
6 areas as specified in ORS 442.507.

7 (b) 25 percent of the moneys in the account shall be transferred to the Emergency Medical
8 Services Program established under section 2, chapter 32, Oregon Laws 2024.

9 (c) 35 percent of the moneys in the account shall be transferred to the Area Health Education
10 Center program established under ORS 353.450.

11 (d) 5 percent of the moneys in the account shall be transferred to the [*Oregon Poison Center*
12 *referred to in ORS 431A.313*] **Oregon Poison Center of the Oregon Health and Science Univer-**
13 **sity.**

14
15 **MENTAL HEALTH ADVISORY BOARD AND**
16 **DISABILITY ISSUES ADVISORY COMMITTEE**
17

18 **SECTION 15. ORS 430.050 is repealed.**

19 **SECTION 16.** ORS 430.631 is amended to read:

20 430.631. (1) **As used in this section, “person with a disability” means any person who:**

21 **(a) Has a physical or mental impairment that substantially limits one or more major life**
22 **activities;**

23 **(b) Has a record of such an impairment; or**

24 **(c) Is regarded as having such an impairment.**

25 [(1)] (2) If any local mental health program has an advisory committee, persons with
26 disabilities[, as defined in ORS 430.050 (6),] and older adults shall be appointed to serve on the ad-
27 visory committee.

28 [(2)] (3) The persons with disabilities **servng on an advisory committee** described in sub-
29 section [(1)] (2) of this section shall meet separately as a disability issues advisory committee.

30
31 **TASK FORCE ON RESOLUTION OF**
32 **ADVERSE HEALTH CARE INCIDENTS**
33

34 **SECTION 17. ORS 31.280 is repealed.**

35 **SECTION 18.** ORS 31.276 is amended to read:

36 31.276. (1) The Oregon Patient Safety Commission shall make rules establishing requirements
37 and procedures as necessary to implement ORS 31.260 to 31.278, including, but not limited to:

38 (a) Procedures for filing a notice of adverse health care incident under ORS 31.262 and for
39 conducting discussions and mediations under ORS 31.264 and 31.268.

40 (b) The form of the notice of adverse health care incident under ORS 31.262.

41 (2) The commission shall use notices of adverse health care incidents filed under ORS 31.262 to:

42 (a) Establish quality improvement techniques to reduce patient care errors that contribute to
43 adverse health care incidents.

44 (b) Develop evidence-based prevention practices to improve patient outcomes and disseminate
45 information about those practices.

1 (c) Upon the request of a health care facility or health care provider, assist the facility or pro-
2 vider in reducing the frequency of a particular adverse health care incident, including, but not lim-
3 ited to, determining the underlying cause of the incident and providing advice regarding preventing
4 reoccurrence of the incident.

5 **(3) The commission shall:**

6 **(a) Using aggregate, deidentified data, continuously evaluate the implementation and ef-**
7 **fects of ORS 31.260 to 31.278; and**

8 **(b) Before December 31 of each year, report on the implementation and effects of ORS**
9 **31.260 to 31.278 to an appropriate committee or interim committee of the Legislative As-**
10 **sembly.**

11
12 **CAPTIONS**

13
14 **SECTION 19. The unit captions used in this 2025 Act are provided only for the conven-**
15 **ience of the reader and do not become part of the statutory law of this state or express any**
16 **legislative intent in the enactment of this 2025 Act.**