

SENATE AMENDMENTS TO SENATE BILL 228

By COMMITTEE ON HUMAN SERVICES

April 7

1 On page 1 of the printed bill, delete lines 4 through 27 and delete page 2 and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Facility’ means a facility with a memory care endorsement under ORS 443.886.**

4 **“(b) ‘Independent family council’ means a group of residents, family members of resi-**
5 **dents or legal representatives of residents that meets privately, either in person or virtually.**

6 **“(c) ‘Resident’ means an individual residing in a facility.**

7 **“(2) A resident has the right to organize and participate in resident groups in a facility,**
8 **including an independent family council.**

9 **“(3) At the time that a resident is admitted to a facility, the facility shall provide to the**
10 **resident and the resident’s legal representative:**

11 **“(a) Written notice of the resident’s right to organize and participate in resident groups**
12 **in the facility, including an independent family council; and**

13 **“(b) Information about how to contact and participate in any independent family council**
14 **that has already been formed at the facility.**

15 **“(4) When an independent family council has been formed at a facility:**

16 **“(a) The facility shall provide adequate space in the entry area of the facility for the in-**
17 **dependent family council to display information about the independent family council.**

18 **“(b) The facility shall provide space within the facility for the independent family council**
19 **to meet during mutually agreed-upon times. The space must reasonably allow for privacy.**

20 **“(c) If requested by the independent family council, the facility shall take reasonable**
21 **steps to make residents and family members and legal representatives of residents aware,**
22 **in a timely manner, of upcoming meetings of the independent family council.**

23 **“(d) Staff and visitors may attend independent family council meetings only at the invi-**
24 **tation of the independent family council. All visitors, including family members and legal**
25 **representatives of residents, must comply with any general facility policies and procedures**
26 **that apply to visitors, such as sign-in and sign-out policies and nondiscrimination and anti-**
27 **harassment policies.**

28 **“(e) The facility shall designate a staff person to be responsible for responding to, or**
29 **coordinating a response to, any written requests or grievances that result from the inde-**
30 **pendent family council.**

31 **“(f) The facility shall respond in a timely manner to any requests or grievances submitted**
32 **by the independent family council concerning issues of resident care or life in the facility.**
33 **The facility is not required to implement any requests submitted by the independent family**
34 **council but shall, upon request, provide a response that describes the facility’s rationale for**
35 **its decision.**

1 **“(5) An independent family council may not override the rights of a resident.**

2 **“(6) A facility may not:**

3 **“(a) Discriminate or retaliate against a resident based on the participation of the resident**
4 **or the resident’s family member or legal representative in an independent family council.**

5 **“(b) Willfully interfere with the formation, maintenance or promotion of an independent**
6 **family council.”.**

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