



Oregon
Community
Brokerages

February 11, 2025

To: Sen Gelser Blouin, Chair, Senate Committee on Human Services

From: Katie Rose, Executive Director, Oregon Community Brokerages

Re: Support for SB 136, allowing ODHS to revoke the license/certificate/endorsement of a community-based IDD services provider who is deemed to be unqualified

Chair Gelser Blouin and members of the committee,

Oregon Community Brokerages is comprised of the 14 Support Service Brokerages across Oregon. Collectively, we provide case management services to nearly 8,000 adults with intellectual and developmental disabilities (IDD) living in their own or family homes in every community throughout the state. We connect people with what matters to them and support them to make the important decisions and choices that shape lives.

We all get support from the people around us, some of it paid and some of it unpaid. We want those supports to be safe, well trained, and there when we need them. One of the most important resources people with IDD have is the Direct Support Professional (DSP) workforce. To make good on the trust that people with IDD and their families place in the system when they accept support services, and to safeguard Oregon's ability to continue offering these services, we need to ensure that ODHS has all the tools needed to eliminate bad actors from the system.

Home and Community Based Services are the basis of our support service system for Oregonians with intellectual and developmental disabilities. This means that direct support providers are going out into individual homes and into communities to provide the disability-related support needed. Every shift involves a lot of trust between a person with IDD and a provider. Trust not only for the provider to treat the space and the person with respect and care, but also trust from the system that the services are being performed as authorized. This makes the work of licensing, certification, and endorsement incredibly important, both up front and through on-going monitoring and renewal processes. If loopholes exist in the state's authority to act to preserve the integrity of this system, we should close them. If there are tools needed to allow action to preserve individual health and safety, we should develop them.

SB 136 would allow ODHS to revoke the license, certificate, or endorsement of a provider of community-based services to people with IDD if the provider is found by the Department to be unqualified. The bill describes the circumstances that might indicate that a provider is not qualified. These include actions like management staff being added to the excluded provider list, denying access to records or facilities, denying access to people who use these services, manipulation of records, health and safety violations, and financial mismanagement or fraud. For each of these circumstances listed above, the bill includes a minimum of time that a provider should be deemed unqualified, and therefore unable to provide services and receive funding for them through the Oregon IDD service system.

Additionally, SB 136 goes on to create the ability of ODHS to identify practices, activities, or circumstances not listed in this bill that they believe should be subject to these same disqualifying actions. It also details a list of circumstances that should trigger action by ODHS: repeated violation of an individual's rights; failure to make a mandatory abuse report; repeated substantiated allegations of abuse; failure to complete plans of correction in a timely fashion; a pattern of failure to maintain appropriate, qualified staffing levels; a pattern of failure to provide access to needed care or services; or a pattern of failure to document and report incidents as required by state or federal law.

Our Home and Community Based Services make daily life work for thousands of people with disabilities statewide. They are too important to risk with incomplete oversight. We encourage your support for SB 136.