



# Oregon

Kate Brown, Governor

## Office of the Long-Term Care Ombudsman

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Chair Keny-Guyer and members of the House Committee on Human Services and Housing:

My name is Fred Steele. I am the State Long-Term Care Ombudsman and Director of the Office of the Long-Term Care Ombudsman.

Our Office houses three programs: the Long-Term Care Ombudsman, the Residential Facilities Ombudsman, and the Oregon Public Guardian and Conservator Program. The Mission of our combined three programs is to protect individual rights, promote independence, and ensure quality of life through informed advocacy and education for Oregonians living in long-term care and residential facilities and Oregonians with decisional limitations.

The two Ombudsman programs request your support for SB 59-B. This bill has been introduced at the request of the Governor on behalf of the Office of the Long-Term Care Ombudsman.

The primary objective of SB 59-B is simply to keep information shared with a probate court by the Ombudsman programs as confidential once shared. When a potential concern is identified regarding a guardian or conservator of a care facility resident, a motion to the court currently leaves any information shared with the court as part of the public record in a court proceeding. This by-product of normal court practice creates a functional barrier of utilizing existing statutory authority granted to the Ombudsman programs.

The Office of the Long-Term Care Ombudsman has existing statutory authority to directly communicate with the courts if we have a concern regarding a guardian or conservator. Specifically, the statutory chapter (ORS Chapter 125) addressing the rights and independence of protected persons under guardianship or conservatorship currently establishes the role of the Long-Term Care Ombudsman in protecting the individual rights as it relates to protected persons who are facility residents through the following:

- ORS 125.060 (7) & (8) require notice be given to the Long-Term Care Ombudsman of most guardianship/conservatorship proceedings involving a resident of a care facility.
- ORS 125.075(4) specifically recognizes that the Long-Term Care Ombudsman may file an objection with the court regarding a guardianship or conservatorship.
- Existing ORS 125.085 allows anyone with the right to an objection under ORS 125.075 to file a motion with the court.

SB 59-B provides the authority needed for the court to maintain information about an individual shared by the Office of the Long-Term Care Ombudsman as confidential.

Thank you for your consideration of SB 59-B.