

SB 31 A STAFF MEASURE SUMMARY

Senate Committee On Human Services

Action Date: 03/05/19

Action: Do pass with amendments. Refer to Judiciary by prior reference. (Printed A-Eng).

Vote: 5-0-0-0

Yeas: 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 1/29, 3/5

WHAT THE MEASURE DOES:

Allows Oregon Public Guardian and Conservator (OPGC) to establish county, regional, and statewide high-risk teams to identify options for highly vulnerable adults who are at risk of harm or are currently experiencing harm. Permits county or regional high-risk teams to consist of OPGC, Department of Human Services (DHS), Oregon Health Authority (OHA), and representatives of local hospitals, crisis response teams, homeless services programs, veterans' services programs, area agencies on aging, and any other providers or services to highly vulnerable adults. Permits statewide high-risk team to consist of representatives of DHS including developmental disabilities programs and adult abuse prevention programs, OHA, Oregon State Hospital, Department of Veterans' Affairs, office of the Residential Facilities Ombudsman, and any other statewide entity that is in direct contact with highly vulnerable adults or provides services addressing serious safety concerns of highly vulnerable adults. Requires teams to develop written protocol establishing purpose, potential membership within each community, and confidentiality procedures. Permits high-risk teams to use or disclose protected health information without obtaining authorization if use or disclosure is necessary to prevent or lessen serious threat to health or safety of any person or the public. Allows member agency to only disclose personal health information to a person who is reasonably able to prevent or lessen threat.

ISSUES DISCUSSED:

- Representation on high-risk teams
- Provisions of measure

EFFECT OF AMENDMENT:

Permits county or regional high-risk teams to include providers of services to highly vulnerable adults. Modifies purpose of high-risk teams to identify options for highly vulnerable adults who are at risk of harm or are currently experiencing harm. Allows high-risk team members or member agencies to use or disclose protected health information without authorization if use or disclosure is necessary to prevent or lessen serious threat to health or safety of any person or the public. Allows member agency to only disclose personal health information to a person who is reasonably able to prevent or lessen threat.

BACKGROUND:

The Oregon Public Guardian and Conservator (OPGC) is responsible for supporting adults incapable of making decisions to ensure their own safety due to a disability and who do not have relatives or friends willing or able to assume guardianship or conservatorship. Senate Bill 31 A allows the OPGC to establish county, regional, and statewide high-risk teams to discuss situations where highly vulnerable adults are at risk of harm or are currently experiencing harm, and to identify options for addressing safety risks, focusing on the least restrictive alternatives. The measure also requires each high-risk team to develop written protocols to establish the purpose of the team and potential membership within each community, and permits high-risk teams to use or disclose

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protected health information without obtaining authorization if use or disclosure is necessary to prevent or lessen serious threat to health or safety of any person or the public. Finally, Senate Bill 31 A allows members to only disclose personal health information to a person who is reasonably able to prevent or lessen the health or safety threat, including the target of the threat.