

SB 917 A STAFF MEASURE SUMMARY

Carrier: Sen. Gelser

Senate Committee On Human Services

Action Date: 04/09/19

Action: Do pass with amendments and requesting subsequent referral to Ways and Means be rescinded. (Printed A-Eng.)

Vote: 4-0-1-0

Yeas: 4 - Gelser, Heard, Knopp, Monnes Anderson

Exc: 1 - Fagan

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Jamie Hinsz, LPRO Analyst

Meeting Dates: 3/7, 4/9

WHAT THE MEASURE DOES:

Prohibits employers that care for children, youth, individuals with disabilities, or older adults, from interfering with employees' or volunteers' good faith disclosures about abuse or mistreatment, violations of licensing or certification, criminal activity, violations of state or federal laws, or practices threatening health and safety, to regulatory agencies, law enforcement authorities, and others, as specified. Deems such interference an unlawful employment practice. Specifies actions constituting interference. Authorizes revocation or suspension of permission to operate and authorizes civil penalties for violations.

ISSUES DISCUSSED:

- Applicability of nondisclosure agreements when reporting suspected child abuse
- Confidentiality of information and privacy of protected individuals receiving care or services

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Reports of abuse or mistreatment by a medical provider can be made to the Oregon Medical Board, and reports regarding long-term care providers can be made to the Long-Term Care Ombudsman. Similarly, the Residential Facilities Ombudsman investigates complaints for individuals living in homes licensed or certified for intellectual and/or developmental disabilities or mental health conditions, and reports of suspected child abuse may be made to the Department of Human Services hotline. Of course, if criminal conduct is suspected, it may also be reported to law enforcement.

Senate Bill 917 A prohibits employers who provide care to children, youth, individuals with disabilities, or older adults, from interfering with employees' good faith disclosures of information regarding abuse or mistreatment, violations of licensing or certification, criminal activity, violations of state or federal laws, or practices threatening the health and safety of recipients of care. The measure specifies actions that constitute interference with such disclosures and deems such interference an unlawful employment practice. Senate Bill 917 A also requires the revocation or suspension of permission to operate a facility providing care and authorizes civil penalties for violations.