

D R A F T

SUMMARY

Restricts licensing or certification of providers of developmental disability services. Prohibits providers of developmental disability services from voluntarily relinquishing license in lieu of revocation based on death or serious injury in program or facility operated by provider.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to providers of developmental disability services; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. The Department of Human Services may not issue a license, certification or other authorization to a for-profit organization or limited liability company, or to any entity in which a for-profit organization or limited liability company has a financial interest, to:

(1) Operate a group home, foster home or other residential setting for individuals with intellectual or developmental disabilities;

(2) Administer a supported living program for individuals with intellectual or developmental disabilities; or

(3) Operate a support service brokerage, as defined in ORS 427.101.

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

(a) “Developmental disability services” has the meaning given that term in ORS 427.101.

(b) “Provider” means a person that operates a program or provides services or residential care to individuals with intellectual or developmental disabilities.

1 **(2) The Department of Human Services may not license or certify**
2 **or renew the license or certification of a provider if:**

3 **(a) The provider's license or certification to provide developmental**
4 **disability services was revoked by the department within the previous**
5 **10 years; or**

6 **(b) Any member of the provider's operations or leadership team or**
7 **a board member of the provider was an owner, president, executive**
8 **director or other senior manager, or was a member of the operations**
9 **or leadership team of a provider that had its license or certification**
10 **revoked by the department within the previous 10 years.**

11 **(3) A provider may not voluntarily relinquish the provider's license**
12 **or certification in lieu of the provider's license or certification being**
13 **revoked by the department if the revocation is the result of a death**
14 **or serious injury in a facility or program operated by the provider.**

15 **SECTION 3.** **Section 1 of this 2021 Act applies to applications for**
16 **licenses, certifications or other initial authorization requests submit-**
17 **ted to the Department of Human Services by for-profit organizations**
18 **or limited liability companies on or after the effective date of this 2021**
19 **Act.**

20 **SECTION 4.** **This 2021 Act being necessary for the immediate pres-**
21 **ervation of the public peace, health and safety, an emergency is de-**
22 **clared to exist, and this 2021 Act takes effect on its passage.**