

SB 725 STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Prepared By: C. Ross, Counsel

Meeting Dates: 3/23, 3/30

WHAT THE MEASURE DOES:

Prohibits the Department of Human Services (DHS) from authorizing limited liability companies (LLCs), for-profit businesses, or organizations in which a for-profit or an LLC has a financial interest, to operate or administer residential settings, supported living programs, or support service brokerages for individuals with intellectual or developmental disabilities. Prohibits DHS from authorizing the provision of residential programs or services for individuals with intellectual or developmental disabilities by a provider whose authorization was revoked in the past 10 years, or whose decision-making personnel were decision-makers for another provider whose authorization was revoked in the past ten years. Prohibits the voluntary relinquishment of a license in lieu of its being revoked because of a death or serious injury in a program. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

[-1 amendment dated 03/15/21] Includes the provision of attendant and respite care, behavior support, and other home or community-based developmental disability services within prohibitions. Extends the prohibition based on a revocation within the past 10 years, to include providers who were decision-makers for another provider who was revoked. Creates an exception to allow DHS to authorize applicants that might otherwise be prohibited based on a prior revocation, if certain criteria are met, including, when an applicant had no direct responsibility during the six months prior and up to the revocation event or condition; did not know or properly reported the revocation condition; and did not inhibit any inquiry related to the event or condition. Includes endorsements among other forms of authorization. Replaces "provider" with "applicant" where appropriate. Defines additional terms.

BACKGROUND: