

Senate Bill 725

Sponsored by COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH AND RECOVERY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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

1
2 Relating to providers of developmental disability services; and declaring an emergency.

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

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

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

10 (2) **Administer a supported living program for individuals with intellectual or develop-**
11 **mental disabilities; or**

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

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

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

15 (b) **“Provider” means a person that operates a program or provides services or residen-**
16 **tial care to individuals with intellectual or developmental disabilities.**

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

19 (a) **The provider’s license or certification to provide developmental disability services was**
20 **revoked by the department within the previous 10 years; or**

21 (b) **Any member of the provider’s operations or leadership team or a board member of**
22 **the provider was an owner, president, executive director or other senior manager, or was a**
23 **member of the operations or leadership team of a provider that had its license or certifica-**
24 **tion revoked by the department within the previous 10 years.**

25 (3) **A provider may not voluntarily relinquish the provider’s license or certification in lieu**
26 **of the provider’s license or certification being revoked by the department if the revocation**
27 **is the result of a death or serious injury in a facility or program operated by the provider.**

28 **SECTION 3. Section 1 of this 2021 Act applies to applications for licenses, certifications**
29 **or other initial authorization requests submitted to the Department of Human Services by**
30 **for-profit organizations or limited liability companies on or after the effective date of this**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **2021 Act.**

2 **SECTION 4. This 2021 Act being necessary for the immediate preservation of the public**
3 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
4 **on its passage.**

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