



Oregon

Kate Brown, Governor

Residential Ombudsman &
Public Guardianship Advisory Board

Joseph Leykam, Chair
Adair Village
Helen Kao, Vice Chair
Corvallis

March 2, 2021

To: Chair Sara Gelser
Vice Chair Dick Anderson
Sen. Kate Lieber
Sen. Art Robinson
Sen. Kathleen Taylor

Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Support SB 97

Diana Allen,
Corvallis
Jan Friedman,
Portland
Allen Hines,
Portland
Roberta Janssen,
Tigard
Dwight Mowry,
Ontario
Susan Schreiber,
Portland
Sherry Stock,
Molalla
J.W. Terry,
Bend
Mark Williams,
Eugene

The Residential Facility Ombudsman (RFO) supports individuals experiencing mental health concerns, intellectual or developmental disabilities in each of the 2,600 licensed or certified homes and facilities in Oregon. The RFO advocates for individuals' civil and human rights, empowering individuals and those in their lives to resolve issues impacting their personal liberty, quality of life, and self-determination. The promise of confidentiality in communications, investigations and records is a cornerstone of ombudsman services of any field, and those served by the RFO rely completely on this promise in seeking assistance.

As the Residential Ombudsman and Public Guardianship Advisory Board (ROPGAB), we are writing to encourage you to support SB 97. The bill protects the most vulnerable Oregonians and those in their lives from retaliation after speaking to or reporting a concern to Ombudsman representatives by shielding Ombudsman records from court order.

SB 97 ensures that individuals seeking assistance are afforded complete confidentiality regarding their interactions with Ombudsman representatives. Based on the model language from the United States Ombudsman Association, SB 97 offers complete protection by disallowing court orders of highly sensitive and protected information regarding an individual and the details of their requests for assistance. Without this confidentiality protection, many individuals feel completely stymied from seeking assistance or from providing crucial information to advocacy.

The confidential nature of the RFO is especially critical due to the populations that RFO serves. Individuals often have communication and other barriers that complicate the process of finding help. Care workers in residential facilities provide important information about the homes and need protection to best do their jobs providing quality care to individuals and ensuring their safety. Similarly, neighbors, family members, case managers, and other professionals must not be discouraged from reporting issues for fear of repercussions toward themselves or individuals in the home.

Confidentiality is the bedrock of trust in helping relationships, empowering vulnerable individuals and the people in their lives to say exactly what is happening and work to resolve issues. SB 97 provides needed protection for people to act in a principled way and report issues as they arise at residential facilities. Please recommend that SB 97 pass to the floor for a vote.

Sincerely,

A handwritten signature in blue ink, reading "Joseph M. Leykam". The signature is fluid and cursive, with the first name "Joseph" being the most prominent.

Joseph M. Leykam, Chair
Residential Ombudsman and Public Guardianship Advisory Board