



Eastern Oregon Support Services Brokerage

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To: Chair Lieber, Joint Committee on Ways and Means

From: Laura Noppenberger, Executive Director Eastern Oregon Support Services Brokerage

Regarding HB5019

Chair Lieber and Members of the Committee,

Thank-you for allowing me to submit written testimony for HB5019. I am testifying in support of HB5019 declaring an emergency with the Long Term Care Ombudsmen who administers the public guardian program(s). Eastern Oregon Support Services Brokerage (EOSSB) provides case management for 462 individuals who experience Intellectual Disabilities and Developmental Disabilities (ID/DD) in thirteen Eastern Oregon Counties. Our agency supports some of the most vulnerable individuals in our communities who are at risk of abuse, neglect, exploitation for financial gain, and self-neglect. For some extreme situations, the best way to restore health and safety is a public guardian.

The Oregon Public Guardian's office has provided invaluable assistance over the past several years in resolving two unique cases where family members previously appointed as guardian(s) by separate courts needed to be removed due to severe harm and neglect of the protected person(s).

The first such case required the Oregon Public Guardian to coordinate at a very involved level over the period of ten months with EOSSB. In this case, a parent absconded from the State of Oregon with the protected person, pulled the person from school, was not properly administering seizure medications, and isolated the person from his community to his detriment. The guardian was a paid Personal Support Worker who was financially reliant on the protected person's Social Security Benefit and Medicaid payments made to the parent/guardian for the care of the protected person. Oregon Public Guardian worked with EOSSB, the court in Oregon where guardianship was first appointed to the parent/guardian, the State of Oregon Office of Developmental Disability services, another state's court system, law enforcement in the other state, law enforcement in Oregon, other family members in Oregon, potential foster providers in Oregon, a transportation company that would transport the protected person back to Oregon, and other various community partners. Oregon Public Guardian sent a public deputy to the other state at their own expense to provide direct support to the protected person to get him back here safely. If not for Oregon Public Guardian's advocacy and dogged determination we would never have successfully been able to intercede on behalf of this person, who now resides in a foster home in Oregon and is living life to the fullest potential.

The second case involved another person whose legal guardian, a family member, removed him from his chosen foster home placement. The appointed guardian was unaware of how to care for the protected person, made decisions that were detrimental to him, isolated him, and did not adequately address health, safety, and disability related needs. This resulted in injuries requiring on-going medical treatment, involvement of law enforcement, and involvement of protective services. The guardian was a paid Personal Support Worker who was financially reliant on the protected person's Social Security Benefit and Medicaid payments made to the guardian for his care. Oregon Public Guardian was invaluable in coordinating with the assigned Oregon court, EOSSB, the Office of Developmental Disability Services, other appointed legal counsel, and another Case Management agency that was involved to successfully advocate for the termination of the appointed guardian and the appointment of Oregon Public Guardian as the temporary guardian. The protected person has been returned, per his choice, to his previous foster home, where he is thriving.

Oregon Public Guardian only becomes involved in situations where there is significant risk to the person's health and safety, where no other viable alternative for guardianship exists, and only when it's been shown the person is not able to act for themselves. The Oregon Public Guardian's office maintains a very high threshold that needs to be met prior to their involvement. Case Management Entities throughout the state need a resource to access in dire situations such as this. Currently Oregon Public Guardian has reached their capacity and they are unable to take on additional cases. They need additional funds to provide the level of coordination, staffing, and legal advocacy it takes to deal with the aforementioned complex situations. As a Case Management entity, we often have no resources to turn to when someone is in immediate danger. We are requesting that this committee approve HB 5019's request for additional emergency funding to allow Oregon Public Guardianship to assist in situations where individuals who experience ID/DD are at imminent risk. We often advocate for Oregon's most vulnerable people, and we need resources to effectively address situations that require the intervention of Oregon's public guardian.

I humbly thank-you for allowing me to submit testimony in support of HB 5019.

Laura Noppenberger
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