

Disability Rights Oregon has concerns with the language in SB 579-2 but supports the Concept

Disability Rights Oregon supports new dedicated resources being given to the public guardianship program to serve individuals who are under ORS 161.370 (deemed never able to Aid & Assist in their own defense) with temporary public guardianships. We agree that some individuals in this population can be particularly vulnerable to abuse and neglect and would benefit for the services the Public Guardianship Program offers.

Our concern lies more in the language in the bill, not the concept. We are concerned that as written SB 579 seems to create a different standard for guardianships under ORS 125 than what exists currently in statute. We do not believe this was the intention, and strongly oppose a lower bar for appointing a guardian under ORS 125 for the ORS 161.370 population. Additionally, we believe this new population of individual under ORS 161.370 should still need to meet the same criteria set forth by the Office of Public Guardianship (OPG). Those criteria include qualifying based on needs, no LRA, financially, and no family or friends who could act as a guardian.

We would also request that the language in the bill be clear that we are only talking about individuals who have already been deemed never able to Aid & Assist under ORS 161.370 and meet the criteria for having a guardian, may go through the ORS 125 guardianship process. Currently language seems to allow people who have not yet been determined never able to aid and assist would qualify for a guardianship. We do not support that. We do not want to fast track an individual into a guardianship without making sure, one that it would be beneficial for them and two, that they truly qualify under currently ORS 125 criteria for the appointment of a guardian.

Our final concern relates to funding. We strongly believe that this new population will need dedicated staff and guardians with expertise in ORS 161.370 and severe mental illness. The OPG is already stretched very thin and needs dedicated funding if they are going to take on serving this population.

If you have any questions regarding DRO's position on SB 579 please contact Meghan Moyer at 503-432-5777.

