

## SB 792 -2 STAFF MEASURE SUMMARY

### Senate Committee On Human Services

---

**Prepared By:** Iva Sokolovska, LPRO Analyst

**Meeting Dates:** 3/15, 3/27

---

#### WHAT THE MEASURE DOES:

Requires the Department of Human Services to report on implementation of agency with choice model of developmental disability services by September 15, 2024. Sunsets January 2, 2025.

#### ISSUES DISCUSSED:

- Current nominal fee process
- Expanding fees to all agency provider types
- Current provider types with no application fees and cost of regulatory work

#### EFFECT OF AMENDMENT:

-2 **Replaces the measure.**

Directs the Department of Human Services (DHS) to establish application fees for initial and renewal license, certification, and endorsement applications submitted by residential training homes and residential training facilities; adult foster homes; and other facilities and persons certified by the department to provide developmental disability services. Directs DHS to use collected fees for the licensing and certification of residential training homes and residential training facilities and facilities and persons certified. Directs DHS to deposit fees collected from adult foster homes to the Quality Care Fund. Directs DHS to adopt rules for the waiver or reduction of any fees and review established fees at least every five years. Directs DHS to modify fees for residential training homes and adult foster homes. Directs DHS to impose civil penalties for a violation by any provider contracting with DHS to provide intellectual or developmental disability services, including residential training homes, residential training facilities, adult foster homes, and persons certified to provide developmental disability services. Directs DHS to review established civil penalties at least every five years. Directs DHS to deposit collected civil penalties from a residential training facility or a residential training home in the Long Term Care Ombudsman Account. Directs the Director of Human Services to impose penalties on residential training facilities and residential training homes in specific circumstances.

#### BACKGROUND:

In 2022, there were two defined service options for in-home services for people with intellectual and developmental disabilities in Oregon. In the 2022 regular session, the Department of Human Services (DHS) sought to introduce a third option: Agency with Choice (AWC). With AWC, individuals or their designee can select and direct their worker without being the formal employer of record. The individual recruits and selects the worker they want, provides training on their specific needs and preferences, and directs day-to-day tasks. The AWC employs the worker and provides administrative and employer-related support. [Senate Bill 1548 \(2022\)](#) implemented agency with choice principles with respect to certain persons receiving in-home direct care services, making DHS the employer of record, responsible for verifying care providers' qualifications, certifying entities that may deliver services, and performing other employment-related and administrative functions, in coordination with and supportive of the choices made by persons receiving services.

Senate Bill 792 requires DHS to report on implementation of agency with choice model of developmental disability services by September 15, 2024.

---

*This summary has not been adopted or officially endorsed by action of the committee.*