



Open Government Impact Statement

82nd Oregon Legislative Assembly
2023 Regular Session

Measure: SB 99 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Prohibits certain facilities that provide long term care from taking specified actions based in whole or in part on resident's actual or perceived sexual orientation, gender identity, gender expression or human immunodeficiency virus status.

Imposes new requirements on facilities that provide long term care, with respect to care of residents who are lesbian, gay, bisexual, transgender, queer, intersex, asexual, Two Spirit, nonbinary or other minority gender identity or sexual orientation or who have human immunodeficiency virus. Permits Department of Human Services to impose civil penalties or take other administrative action for violation of provisions. Requires facility to ensure administrators and staff receive specified training. Requires entity that contracts with facility to provide services or supports to residents of facility to provide specified training to entity's staff persons. Excuses from compliance with requirements any requirement that is incompatible with professionally reasonable clinical judgment of management or staff of facility or with state or federal law.

Requires training required for facilities be completed by Long Term Care Ombudsman, deputy ombudsmen and designees of ombudsmen.

Establishes LGBTQIA2S+ subcommittee of Governor's Commission on Senior Services. Specifies membership and duties of subcommittee.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure personally identifiable information contained in the records of residents of care facilities regarding a resident's sexual orientation, whether a resident is LGBTQIA2S+, a resident's gender transition status and a resident's human immunodeficiency virus status.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public might be able to receive information or records regarding the sexual orientation of residents of care facilities, whether a resident is LGBTQIA2S+, a resident's gender transition status or a resident's human immunodeficiency virus status.