

Enrolled Senate Bill 201

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CHAPTER

AN ACT

Relating to developmental disability services; amending ORS 430.664 and 430.670; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 430.664 is amended to read:

430.664. (1) Each community developmental disabilities program and support service brokerage shall have[.]

[(a) A written management plan that governs the program's or brokerage's operating structure, goals and activities; and]

[(b)] a developmental disability advisory committee.

(2) A person with an intellectual or developmental disability who is served by a support service brokerage, and the person's family members, shall have an opportunity for a formal, significant, continuing role in advising the support service brokerage regarding the design, implementation and quality assurance of the support service brokerage.

SECTION 2. ORS 430.670 is amended to read:

430.670. (1) A community developmental disabilities program may provide services by contracting with a public agency, private corporation or individual. All elements of service provided for in the contract shall be considered as a part of a community developmental disabilities program for all purposes of ORS 430.610 to 430.695. Contracts authorized by this section shall comply with rules adopted by the Department of Human Services.

(2) A community mental health program may provide services by contracting with a public agency, private corporation or individual. All elements of service provided for in the contract shall be considered as a part of a community mental health program for all purposes of ORS 430.610 to 430.695. Contracts authorized by this section shall comply with rules adopted by the Oregon Health Authority.

(3) A private corporation that contracts with a county, the Department of Human Services or the Oregon Health Authority to operate a community mental health program or community developmental disabilities program shall provide an opportunity for competition among private care providers when awarding subcontracts for provision of services described in ORS 430.630 (1) to (3) and ~~430.664~~ **430.662**.

(4) In keeping with the principles of family support expressed in ORS 417.342 and notwithstanding subsection (3) of this section or ORS 291.047 (3), an entity operating a community mental health program or community developmental disabilities program may purchase services for

an individual from a service provider without first providing an opportunity for competition among other service providers if the service provider is selected by the individual, the individual's family or the individual's guardian, as long as the service provider has been approved by the department or the authority to provide such service.

SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

Passed by Senate February 9, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 18, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State