



# Oregon

Tina Kotek, Governor

## Residential Facilities Ombudsman Program

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February 15, 2024

To: Senator Gelsler Blouin, Chair, Senate Committee on Human Services

From: Toni Larson, Residential Facilities Ombudsman  
Intellectual and Developmental Disabilities and Mental Health

RE: SB 1591 - Opposed

Esteemed members of the legislative committee. Thank you for consideration of my written testimony opposing SB 1591.

The RFO program is dedicated to enhancing the quality of life, care, and rights of individuals residing in over 2,700 adult and child foster homes, 24-hour group homes, Residential Treatment Homes, and Residential Treatment Facilities licensed for Intellectual and Developmental Disabilities or Mental Health in Oregon. Through complaint investigation and resolution, education, advocacy, and system-wide recommendations, we strive to support the rights of residents.

While it has been stated that the homes affected by SB 1591 will only include those licensed for Seniors and People with Disabilities (APD), I am deeply concerned about the potential wider ramifications, specifically, for AFH homes licensed under the Intellectual and Developmental Disabilities (I/DD) and Mental health (MH). It is my understanding that the Centers for Medicaid Services (CMS) requires the AFH homes under each of these distinct areas not deviate substantially in how services are offered. CMS would be required to approve. If SB 1591 were to pass and alter capacity for APD licensed homes, there would be potential detrimental effects for those licensed separately for I/DD and MH. It is for this reason I offer comments today.

**Deviation from Oregon Model:** The Oregon model, with a size limit of 5 or fewer residents, was carefully crafted to provide residential services in home-like settings. Increasing the capacity to 7 would blur the line between a home and a facility, as defined by the state (6 or more residents). This shift risks transforming these AFHs into

"mini-institutions," contrary to the original intent of providing a smaller, home-like environment for residents.

**Staffing and Acuity of Care:** Testimonies have highlighted the increased acuity of care required for residents in AFHs. However, SB 1591 does not address the necessity for additional staffing to meet these heightened care demands. Without adequate staffing provisions, the bill risks placing undue strain on caregivers and jeopardizing the well-being of residents and reducing quality of care.

**Forced Room sharing and common spaces:**

Physical size of homes normally do not accommodate 7 and, therefore, would force room sharing. SB 1591 does not speak to the issue of choice for residents or how it will ensure that individuals truly do have a choice. In our experience, individuals can feel "coerced" into sharing a room because they believe it is the only way they can stay in the home that they know. The public and communal areas would also become insufficient in size for additional residents.

We urge the committee to reject SB 1591 and preserve the small, home-like setting of Adult Foster Homes and support choice, independence and autonomy of residents.

Thank you