

SB 136 A -3, -5 STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

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Meeting Dates: 6/11

WHAT THE MEASURE DOES:

SB 136 authorizes the Department of Human Services (DHS) to revoke a license, certificate, or endorsement of a disability services provider: for 12 months if the provider denies DHS access to the facility or individuals within the facility or if the provider attempts to alter, conceal, destroy, or manipulate records; and, for 36 months if persistent failures to train staff lead to the serious harm or death of an individual receiving services from the provider. The measure also authorizes DHS to revoke a license, certificate, or endorsement if the department finds the provider is endangering the individuals it serves. DHS requires \$960,468 total funds and five position (3.75 FTE) to implement the measure.

ISSUES DISCUSSED:

Amendment changes "shall" to "may", and removes requirement to adopt rules.

EFFECT OF AMENDMENT:

-3 The -3 amendment changes "shall" to "may" and removes the requirement for DHS to adopt rules.

-5 The -5 amendment adds funding to the bill.

BACKGROUND:

SB 136 authorizes the Department of Human Services (DHS) to revoke a license, certificate, or endorsement of a disability services provider:

- For 12 months if the provider denies DHS access to the facility or individuals within the facility or if the provider attempts to alter, conceal, destroy, or manipulate records.
- For 36 months if persistent failures to train staff lead to the serious harm or death of an individual receiving services from the provider

The measure also authorizes DHS to revoke a license, certificate, or endorsement if the department finds the provider is endangering the individuals it serves.

The -3 Amendment modifies the bill so that it authorizes rather than requires revocations of 12 months and 36 months in specified circumstances. It also removes a requirement that DHS prescribe in rule the length of time a provider may not hold a license, certificate, or endorsement when certain violations repeatedly occur.

The -5 amendment appropriates \$480,234 General Fund and provides \$480,234 Federal Funds expenditure limitation for five permanent positions (3.75 FTE) to implement the measure.