

House Bill 3168

Sponsored by Representative MARSH, Senator REYNOLDS (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes to increase the safety of IDD service providers. (Flesch Readability Score: 60.7).

Directs the Department of Human Services to adopt rules to require an agency that hires, trains and supervises direct support professionals using state funds received from the department to implement enhanced staffing ratios under specified circumstances.

Requires a residential training home or residential training facility that serves a high-needs resident to provide to the department a staff safety plan that addresses specified issues.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to residential developmental disabilities services; and prescribing an effective date.

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

SECTION 1. (1) As used in this section:

4 (a) **“Agency” and “attendant care services” have the meanings given those terms in ORS**
5 **427.191.**

6 (b) **“Exceptional service rate” means a higher payment rate based on the assessed service**
7 **needs of an individual.**

8 (c) **“Residential training facility” and “residential training home” have the meanings**
9 **given those terms in ORS 443.400.**

10 (2) **The Department of Human Services shall adopt rules to require an agency to imple-**
11 **ment enhanced staffing ratios when an individual resides in a residential training home or**
12 **residential training facility and:**

13 (a) **The agency is receiving an exceptional service rate for the provision of attendant care**
14 **services to the individual at a staff-to-individual ratio of one to one, two to one or three to**
15 **one; or**

16 (b) **The individual requires a specific staffing ratio or pattern according to criteria pre-**
17 **scribed by the department.**

18 **SECTION 2. Section 3 of this 2025 Act is added to and made a part of ORS 443.400 to**
19 **443.455.**

20 **SECTION 3. A residential training home or residential training facility that serves a**
21 **high-needs resident, as defined by the Department of Human Services, shall provide to the**
22 **department a staff safety plan that addresses emergency protocols, staff-to-supervisor ratios**
23 **and other staff safety issues as determined by the department.**

24 **SECTION 4. (1) Sections 1 and 3 of this 2025 Act become operative on January 1, 2026.**

25 (2) **The Department of Human Services may take any action before the operative date**
26 **specified in subsection (1) of this section that is necessary to enable the department to ex-**
27

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **ercise, on and after the operative date specified in subsection (1) of this section, all of the**
2 **duties, functions and powers conferred on the department by sections 1 and 3 of this 2025**
3 **Act.**

4 **SECTION 5. This 2025 Act takes effect on the 91st day after the date on which the 2025**
5 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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