

Enrolled
Senate Bill 136

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CHAPTER

AN ACT

Relating to developmental disabilities services providers.

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

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 427.

SECTION 2. (1) As used in this section:

(a) “Agency” means an entity that is certified and endorsed by the Department of Human Services to provide services to individuals with intellectual or developmental disabilities.

(b) “Ownership interest” means:

(A) A direct or indirect ownership interest, or a combination of direct and indirect ownership interests, equal to five percent or more in an agency;

(B) An interest in any mortgage, deed of trust, note or other obligation secured by an agency if the interest equals at least five percent of the value of the property or assets of the agency;

(C) Holding the position of an officer or director of an agency that is organized as an entity;

(D) Holding the position of a partner of an agency that is organized as a partnership; or

(E) Holding the position of a member of the board of directors of an agency that has a board of directors.

(c) “Provider” means:

(A) An agency;

(B) An adult foster home, as defined in ORS 443.705, that is licensed to provide residential care to individuals with intellectual or developmental disabilities; or

(C) A developmental disability child foster home, as defined in ORS 443.830.

(d) “Responsible person” means:

(A) A person who exercises operational or managerial control over, who has an ownership interest in or who directly or indirectly conducts the day-to-day operations of an agency;

(B) An owner, operator or resident manager of an adult foster home, as defined in ORS 443.705, that is licensed to provide residential care to individuals with intellectual or developmental disabilities; or

(C) An owner, operator or resident manager of a developmental disability child foster home, as defined in ORS 443.830.

(2) The Department of Human Services may revoke the license, certificate or endorsement of a provider and deny any new application for a license, certificate or endorsement submitted by the provider:

(a) For at least 12 months if a responsible person denies the department access to a facility or an individual receiving services or directs an employee or substitute caregiver to deny the department access to a facility or an individual receiving services.

(b) For at least 12 months if a responsible person alters, conceals, destroys or otherwise manipulates records or directs an employee or substitute caregiver to alter, conceal, destroy or otherwise manipulate records.

(c) For at least 36 months if a responsible person's persistent, egregious acts, failures to act or failures to adequately train or supervise employees or substitute caregivers led to, or reasonably would be expected to lead to, the death of or serious harm to an individual.

(3) If the department finds that the operations of a provider put the health, safety, rights or welfare of the individuals served by the provider at risk, the department may revoke, suspend or impose conditions on the license, certificate or endorsement of the provider. A suspension or condition imposed under this subsection may not be lifted until the department has confirmed that all concerns have been remediated.

SECTION 3. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (7), chapter __, Oregon Laws 2025 (Enrolled Senate Bill 5526), for the biennium beginning July 1, 2025, for intellectual/developmental disabilities programs, is increased by \$480,234.

SECTION 4. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (7), chapter __, Oregon Laws 2025 (Enrolled Senate Bill 5526), for the biennium beginning July 1, 2025, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter __, Oregon Laws 2025 (Enrolled Senate Bill 5526), collected or received by the Department of Human Services, for intellectual/developmental disabilities programs, is increased by \$480,234.

Passed by Senate June 23, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 26, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State