

# Enrolled Senate Bill 228

Sponsored by Senators MANNING JR, PATTERSON, Representative SMITH G; Senators GELSER BLOUIN, WEBER, Representatives GOMBERG, HUDSON, JAVADI, LEVY B, LIVELY, NERON, NOSSE (at the request of Jewel Nelson, Judith Smith) (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to family councils in residential care facilities.

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

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

- (a) **“Facility” means a facility with a memory care endorsement under ORS 443.886.**
- (b) **“Independent family council” means a group of residents, family members of residents or legal representatives of residents that meets privately, either in person or virtually.**
- (c) **“Resident” means an individual residing in a facility.**
- (2) **A resident has the right to organize and participate in resident groups in a facility, including an independent family council.**
- (3) **At the time that a resident is admitted to a facility, the facility shall provide to the resident and the resident’s legal representative:**
  - (a) **Written notice of the resident’s right to organize and participate in resident groups in the facility, including an independent family council; and**
  - (b) **Information about how to contact and participate in any independent family council that has already been formed at the facility.**
  - (4) **When an independent family council has been formed at a facility:**
    - (a) **The facility shall provide adequate space in the entry area of the facility for the independent family council to display information about the independent family council.**
    - (b) **The facility shall provide space within the facility for the independent family council to meet during mutually agreed-upon times. The space must reasonably allow for privacy.**
    - (c) **If requested by the independent family council, the facility shall take reasonable steps to make residents and family members and legal representatives of residents aware, in a timely manner, of upcoming meetings of the independent family council.**
    - (d) **Staff and visitors may attend independent family council meetings only at the invitation of the independent family council. All visitors, including family members and legal representatives of residents, must comply with any general facility policies and procedures that apply to visitors, such as sign-in and sign-out policies and nondiscrimination and anti-harassment policies.**
    - (e) **The facility shall designate a staff person to be responsible for responding to, or coordinating a response to, any written requests or grievances that result from the independent family council.**

(f) The facility shall respond in a timely manner to any requests or grievances submitted by the independent family council concerning issues of resident care or life in the facility. The facility is not required to implement any requests submitted by the independent family council but shall, upon request, provide a response that describes the facility's rationale for its decision.

(5) An independent family council may not override the rights of a resident.

(6) A facility may not:

(a) Discriminate or retaliate against a resident based on the participation of the resident or the resident's family member or legal representative in an independent family council.

(b) Willfully interfere with the formation, maintenance or promotion of an independent family council.

Passed by Senate April 10, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 19, 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