

Enrolled Senate Bill 47

Sponsored by Senators JAMA, MANNING JR (at the request of Governor Tina Kotek) (Presession filed.)

CHAPTER

AN ACT

Relating to obsolete activities of public entities; creating new provisions; amending ORS 31.276, 409.162, 411.072, 411.093, 411.877, 411.890, 411.892, 411.896, 412.009, 430.631 and 442.870; and repealing ORS 31.280, 182.310, 182.320, 182.330, 182.360, 411.075, 411.886, 411.888, 430.050, 431A.300, 431A.303, 431A.305, 431A.308, 431A.310, 431A.313, 431A.315, 431A.318, 431A.320, 431A.323, 431A.325, 431A.500, 431A.505 and 431A.510.

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

SPINAL CORD INJURY RESEARCH BOARD

SECTION 1. ORS 431A.500, 431A.505 and 431A.510 are repealed.

EMPLOYEE SUGGESTION AWARDS COMMISSION

SECTION 2. ORS 182.310, 182.320, 182.330 and 182.360 are repealed.

FAMILY SERVICES REVIEW COMMISSION

SECTION 3. ORS 411.075 is repealed.

SECTION 4. ORS 409.162 is amended to read:

409.162. (1) The Department of Human Services shall collaborate with its existing advisory groups to identify and implement workload efficiencies in the state agencies that administer programs providing:

- (a) Child welfare services under ORS 418.005;
- (b) Temporary assistance for needy families under ORS 412.006;
- (c) Nutritional assistance under ORS 411.816;
- (d) Medical assistance eligibility determinations under ORS 411.404;
- (e) Services to elderly persons and to persons with disabilities under ORS 410.070 and 412.014;

and

- (f) Vocational rehabilitation services under ORS 344.530.

(2) The department shall collaborate with the following advisory groups and other groups designated by the department in identifying and implementing workload efficiencies:

- (a) The advisory committee created by ORS 418.005 (2).

[(b) The Family Services Review Commission established under ORS 411.075.]

[(c)] (b) The State Independent Living Council established by Executive Order 94-12.

[(d)] (c) The advisory committee established under ORS 344.735.

[(e)] (d) Area agency advisory councils required under ORS 410.210.

[(f)] (e) The Governor's Commission on Senior Services created by ORS 410.320.

SECTION 5. ORS 411.072 is amended to read:

411.072. (1) As used in this section "policy change" includes any change in the operation of public assistance programs that affects recipients adversely in any substantial manner, including but not limited to the denial, reduction, modification or delay of benefits. "Policy change" does not include any procedural change that affects internal management but does not adversely and substantially affect the interest of public assistance recipients.

(2) The Department of Human Services may submit applications for waiver of federal statutory or regulatory requirements to the federal government or any agency thereof. Prior to the submission of any application for waiver that involves a policy change, and prior to implementation, the department shall do the following:

(a) Conduct a public process regarding the waiver application or application for waiver renewals;

(b) Prepare a complete summary of the testimony and written comments received during the public process;

(c) Submit the application for waiver or application for waiver renewals involving a policy change to the legislative review agency, as described in ORS 291.375, and present the summary of testimony and comments described in this section; and

(d) Give notice of the date of its appearance before the Emergency Board[,] **and** the Joint Interim Committee on Ways and Means or the Joint Committee on Ways and Means in accordance with ORS 183.335[, *and before the Family Services Review Commission*].

SECTION 6. ORS 411.093 is amended to read:

411.093. (1) All applicants for and recipients of public assistance shall be treated in a courteous, fair and dignified manner by Department of Human Services personnel.

(2) Any applicant or recipient who alleges discourteous, unfair or undignified treatment by department personnel or alleges that incorrect or inadequate information regarding public assistance programs has been provided by department personnel may file a grievance with the department. The department shall publicize the grievance system in each local office.

(3) The grievance shall be discussed first with the supervisor of the employee against whom the grievance is filed. If the grievance is not resolved, the applicant or recipient may discuss the grievance with the local office manager.

(4) The department shall compile a monthly report summarizing each grievance filed against department personnel and the action taken. The report shall identify each grievance by local office and indicate the number of grievances filed against individual employees. The report shall protect the anonymity of department personnel. The report shall be presented to [*the Family Services Review Commission and to*] all county public welfare boards.

SECTION 7. ORS 412.009 is amended to read:

412.009. (1) The Legislative Assembly finds that:

(a) There is evidence that families who experience the most disqualifications from the job opportunity and basic skills program are often those with the most barriers to employment; and

(b) The loss of income from a program disqualification adds strain and creates instability in families already experiencing extreme poverty, and this affects the health and food security of the dependent children in the family.

(2) The Department of Human Services by rule shall adopt proven methods of encouraging participants' full engagement in the job opportunity and basic skills program, including the development of an individualized case plan and an ongoing process to ensure that the case plan is appropriate.

(3)(a) The department shall facilitate the participation of needy caretaker relatives and may not reduce the family's aid payment as a method of encouraging full engagement in the job opportunity

and basic skills program pursuant to subsection (2) of this section until the department determines that the needy caretaker relative that is not fully engaged:

(A) Has no identified barriers or refuses to take appropriate steps to address identified barriers to participation in the program; and

(B) Refuses without good cause, as defined by the department by rule, to meet the requirements of an individualized and appropriate case plan.

(b) The department may not reduce aid payments under this subsection to families:

(A) Receiving aid pursuant to ORS 412.014 or 412.124;

(B) In which the caretaker relative participates in suitable activities for the number of hours required each month to satisfy federally required participation rates; or

(C) Until the department has screened for and, if appropriate, assessed barriers to participation, including but not limited to physical or mental health needs, substance abuse, domestic violence or learning needs.

(c) The department may not reduce aid payments under this subsection before assessing the risk of harm posed to the children in the household by the reduction in aid payments and taking steps to ameliorate the risk.

(4) Following notice and an opportunity for a hearing under ORS chapter 183 and subject to subsection (2) of this section, the department may reduce the aid payment to the family of an individual who refuses to participate in suitable activities required by the individual's case plan or may terminate the aid payment to the family of a noncompliant individual in accordance with procedures adopted by the department by rule.

(5) A caretaker relative may request a hearing to contest the basis for a reduction in or termination of an aid payment under this section within 90 days of a reduction in or termination of aid.

[*(6) Every six months, the department shall report to the Family Services Review Commission established under ORS 411.075 the status of and outcomes for families for whom aid has been reduced or terminated under subsection (4) of this section. The department shall work with the commission to establish the details to be provided in the report.*]

JOBS PLUS ADVISORY BOARD

SECTION 8. ORS 411.886 and 411.888 are repealed.

SECTION 9. ORS 411.877 is amended to read:

411.877. As used in ORS 411.877 to 411.896:

[*(1) "Board" means the JOBS Plus Advisory Board established in ORS 411.886.*]

[*(2)*] (1) "Job opportunities and basic skills program" means the program described in ORS 412.009.

[*(3)*] (2) "JOBS Plus" or "program" means the JOBS Plus Program established in ORS 411.878.

[*(4)*] (3) "Supplemental Nutrition Assistance Program" has the meaning given that term in ORS 411.806.

SECTION 10. ORS 411.890 is amended to read:

411.890. A JOBS Plus Implementation Council shall be established in service areas to be determined by the Director of Human Services to assist [*the JOBS Plus Advisory Board and*] the Department of Human Services in the administration of the JOBS Plus Program and to allow local flexibility in dealing with the particular needs of each county. Each council shall be primarily responsible for recruiting and encouraging participation of employment providers in the county. Each council shall be composed of seven members who shall be appointed by the county commissioners in each county in the district. Council members shall be residents of the district in which they are appointed and shall serve four-year terms. Six members of the council shall be from the local business community. At least one member shall be a current or former recipient of the temporary assistance for needy families program or the Supplemental Nutrition Assistance Program.

SECTION 11. ORS 411.892 is amended to read:

411.892. (1)(a) All employers, including public and private sector employers within the State of Oregon, are eligible to participate in the JOBS Plus Program. The Department of Human Services shall adopt by rule a method to disqualify employers from participating in the program. No employer is required to participate in the JOBS Plus Program. In the event that there are unassigned participants whom no employer desires to utilize, the participants may be assigned to work for a public agency.

(b) The maximum number of program participants that any employer is authorized to receive at any one time may not exceed 10 percent of the total number of the employer's employees. However, each employer may receive one participant. The Director of Human Services may waive the limit in special circumstances.

(c) The Department of Human Services by rule shall establish criteria for excluding employers from participation for failure to abide by program requirements, showing a pattern of terminating participants prior to the completion of training or other demonstrated unwillingness to comply with the stated intent of the program.

(2) The Department of Human Services shall ensure that jobs made available to program participants:

(a) Do not require work in excess of 40 hours per week;

(b) Are not used to displace regular employees or to fill unfilled positions previously established; and

(c) Do not pay a wage that is substantially less than the wage paid for similar jobs in the local economy with appropriate adjustments for experience and training.

(3)(a) Eligibility for the program shall be limited to residents who are:

(A) Adults and caretaker relatives who are receiving temporary assistance for needy families benefits;

(B) Adult Supplemental Nutrition Assistance Program recipients except as described in subsection (5)(b) of this section; and

(C) Unemployed noncaretaker parents of children who are receiving temporary assistance for needy families benefits.

(b) In addition to those residents eligible for the program under paragraph (a) of this subsection, additional residents who are seeking employment may be eligible for the program if there are legislatively allocated funds available in the temporary assistance for needy families budget of the Department of Human Services.

(4)(a) Individuals desiring work through the program shall contact the nearest Department of Human Services office serving the county in which they reside if they are temporary assistance for needy families program or Supplemental Nutrition Assistance Program applicants or recipients or noncustodial parents of individuals receiving temporary assistance for needy families.

(b) With the assistance of the local JOBS Plus Implementation Councils [*and the JOBS Plus Advisory Board*], the Department of Human Services shall develop a job inventory of sufficient size to accommodate all of the participants who desire to work in the program. In consultation with the participant, the department shall try to match the profile of each participant with the needs of an employer when assigning a participant to work with the employer.

(c) Either the employer or the participant may terminate the assignment by contacting the appropriate Department of Human Services office. In such event, the Department of Human Services shall reassess the needs of the participant and assign the participant to another JOBS Plus Program placement or another job opportunity and basic skills program component and, at the employer's request, provide the employer with another participant.

(d)(A) If after four months in a placement, a participant has not been hired for an unsubsidized position, the employer shall allow the worker to undertake eight hours of job search per week. Participating employers shall consider such time as hours worked for the purposes of paying wages.

(B) If after six months in a placement, a participant has not been hired for an unsubsidized position, the placement shall be terminated, and the caseworker shall reassess the participant's employment development plan.

(e) The Department of Human Services may pay placement and barrier removal payments to temporary assistance for needy families program and Supplemental Nutrition Assistance Program participants as necessary to enable participation in the JOBS Plus Program.

(f) The Department of Human Services shall accept eligible volunteers into the program prior to mandating program participation by eligible persons.

(5)(a) Assignment of participants to available jobs shall be based on a preference schedule developed by the Department of Human Services. Any temporary assistance for needy families recipient or supplemental nutrition assistance recipient may volunteer for the program.

(b) The following individuals may not be required to participate in the program:

(A) Recipients under the temporary assistance for needy families program and the Supplemental Nutrition Assistance Program who are eligible for Supplemental Security Income benefits or other ongoing state or federal maintenance benefits based on age or disability.

(B) Supplemental nutrition assistance applicants or recipients who are employed full-time or are college students eligible for supplemental nutrition assistance and enrolled full-time in a community college or an institution of higher education, or enrolled half-time in a community college or an institution of higher education and working at least 20 hours per week.

(C) Teenage parents who remain in high school if progressing toward a diploma. Teenage parents not in school are eligible for the JOBS Plus Program.

(c) The Department of Human Services shall provide life skills classes and opportunities to achieve a certificate for passing an approved high school equivalency test such as the General Educational Development (GED) test to appropriate participants in conjunction with working in the JOBS Plus Program.

(d) Subject to subsection (7) of this section, temporary assistance for needy families and supplemental nutrition assistance shall be suspended at the end of the calendar month in which an employer makes the first wage payment to a participant who is a custodial parent in a family that receives temporary assistance for needy families or to any adult member of a household receiving supplemental nutrition assistance. Failure of the participant to cooperate with the requirements of the JOBS Plus Program may result in the participant's removal, in accordance with rules adopted by the Department of Human Services, from the JOBS Plus Program and suspension of the participant's temporary assistance for needy families grant and supplemental nutrition assistance. A temporary assistance for needy families and supplemental nutrition assistance recipient who has been removed from the program for failing to cooperate shall be eligible to reapply to participate in the program and shall have eligibility for program services determined without regard to the length of time the person was not participating following removal.

(6)(a) Employers shall pay all participating individuals at least the hourly rate of the Oregon minimum wage.

(b) Sick leave, holiday and vacation absences shall conform to the individual employer's rules for temporary employees.

(c) Group health insurance benefits shall be provided by the employer to program participants if, and to the extent that, state or federal law requires the employer to provide such benefits.

(d) All persons participating in the JOBS Plus Program shall be considered to be temporary employees of the individual employer providing the work and shall be entitled only to benefits required by state or federal law.

(e) Employers shall provide workers' compensation coverage for each JOBS Plus Program participant.

(7) In the event that the net monthly full-time wage paid to a participant would be less than the level of income from the temporary assistance for needy families program and the supplemental nutrition assistance amount equivalent that the participant would otherwise receive, the Department of Human Services shall determine and pay a supplemental payment as necessary to provide the participant with that level of net income. The department shall determine and pay in advance supplemental payments to participants on a monthly basis as necessary to ensure equivalent net program wages. Participants shall be compensated only for time worked.

(8) In addition to and not in lieu of the payments provided for under subsections (6) and (7) of this section, participants shall be entitled to retain the full child support payments collected by the Department of Justice.

(9) In conformity with existing state day care program regulations, child day care shall be provided for all program participants who require it.

(10) JOBS Plus Program employers shall:

(a) Endeavor to make JOBS Plus Program placements positive learning and training experiences;

(b) Maintain health, safety and working conditions at or above levels generally acceptable in the industry and no less than that of comparable jobs of the employer;

(c) Provide on-the-job training to the degree necessary for the participants to perform their duties;

(d) Recruit volunteer mentors from among their regular employees to assist the participants in becoming oriented to work and the workplace; and

(e) Sign an agreement to abide by all requirements of the program, including the requirement that the program not supplant existing jobs. All agreements shall include provisions noting the employer's responsibility to repay reimbursements in the event the employer violates program rules. When a professional placement service, professional employment organization or temporary employment agency is acting as an employer pursuant to subsection (13) of this section, agreements under this paragraph shall require a three-party agreement between the professional placement service, professional employment organization or temporary employment agency, the organization where the participant has been placed to perform services and the State of Oregon. The three-party agreement shall include provisions requiring that all JOBS Plus reimbursements received by the professional placement service, professional employment organization or temporary employment agency be credited to the organization where the participant has been placed to perform services.

(11) Program participant wages shall be subject to federal and state income taxes, Social Security taxes and unemployment insurance tax or reimbursement as applicable under ORS chapter 657, which shall be withheld and paid in accordance with state and federal law. Supplemental payments made pursuant to subsection (7) of this section shall not be subject to state income taxes under ORS chapter 316 and, to the extent allowed by federal law, shall not be subject to federal income taxes and Social Security taxes.

(12)(a) The Department of Human Services shall reimburse employers for the employers' share of Social Security, unemployment insurance and workers' compensation premiums paid on behalf of program participants referred to the employer by the Department of Human Services, as well as the minimum wage earnings paid by the employer to program participants referred to the employer by the Department of Human Services.

(b) If the Department of Human Services finds that an employer has violated any of the rules of the JOBS Plus Program, the department:

(A) Shall withhold any amounts due to employers under paragraph (a) of this subsection.

(B) May seek repayment of any amounts paid to employers under paragraph (a) of this subsection.

(13) For purposes of this section, "employer" shall include professional placement services, professional employment organizations and temporary employment agencies.

SECTION 12. ORS 411.896 is amended to read:

411.896. The Department of Human Services shall submit an annual written report to the Legislative Assembly and the Governor containing a full and complete analysis of the JOBS Plus Program. The report shall include recommendations [from the department and the JOBS Plus Advisory Board] regarding appropriate revisions to the program.

POISON PREVENTION TASK FORCE

SECTION 13. ORS 431A.300, 431A.303, 431A.305, 431A.308, 431A.310, 431A.313, 431A.315, 431A.318, 431A.320, 431A.323 and 431A.325 are repealed.

SECTION 14. ORS 442.870, as amended by section 27, chapter 32, Oregon Laws 2024, is amended to read:

442.870. (1) The Emergency Medical Services Enhancement Account is established separate and distinct from the General Fund. Interest earned on moneys in the account shall accrue to the account. All moneys deposited in the account are continuously appropriated to the Department of Revenue for the purposes of this section.

(2) The Department of Revenue shall distribute moneys in the Emergency Medical Services Enhancement Account in the following manner:

(a) 35 percent of the moneys in the account shall be transferred to the Office of Rural Health established under ORS 442.475 for the purpose of enhancing emergency medical services in rural areas as specified in ORS 442.507.

(b) 25 percent of the moneys in the account shall be transferred to the Emergency Medical Services Program established under section 2, chapter 32, Oregon Laws 2024.

(c) 35 percent of the moneys in the account shall be transferred to the Area Health Education Center program established under ORS 353.450.

(d) 5 percent of the moneys in the account shall be transferred to the [*Oregon Poison Center referred to in ORS 431A.313*] **Oregon Poison Center of the Oregon Health and Science University.**

MENTAL HEALTH ADVISORY BOARD AND DISABILITY ISSUES ADVISORY COMMITTEE

SECTION 15. ORS 430.050 is repealed.

SECTION 16. ORS 430.631 is amended to read:

430.631. (1) **As used in this section, “person with a disability” means any person who:**

(a) Has a physical or mental impairment that substantially limits one or more major life activities;

(b) Has a record of such an impairment; or

(c) Is regarded as having such an impairment.

[(1)] (2) If any local mental health program has an advisory committee, persons with disabilities[, *as defined in ORS 430.050 (6),*] and older adults shall be appointed to serve on the advisory committee.

[(2)] (3) The persons with disabilities **serving on an advisory committee** described in subsection [(1)] (2) of this section shall meet separately as a disability issues advisory committee.

TASK FORCE ON RESOLUTION OF ADVERSE HEALTH CARE INCIDENTS

SECTION 17. ORS 31.280 is repealed.

SECTION 18. ORS 31.276 is amended to read:

31.276. (1) The Oregon Patient Safety Commission shall make rules establishing requirements and procedures as necessary to implement ORS 31.260 to 31.278, including, but not limited to:

(a) Procedures for filing a notice of adverse health care incident under ORS 31.262 and for conducting discussions and mediations under ORS 31.264 and 31.268.

(b) The form of the notice of adverse health care incident under ORS 31.262.

(2) The commission shall use notices of adverse health care incidents filed under ORS 31.262 to:

(a) Establish quality improvement techniques to reduce patient care errors that contribute to adverse health care incidents.

(b) Develop evidence-based prevention practices to improve patient outcomes and disseminate information about those practices.

(c) Upon the request of a health care facility or health care provider, assist the facility or provider in reducing the frequency of a particular adverse health care incident, including, but not limited to:

ited to, determining the underlying cause of the incident and providing advice regarding preventing reoccurrence of the incident.

(3) The commission shall:

(a) Using aggregate, deidentified data, continuously evaluate the implementation and effects of ORS 31.260 to 31.278; and

(b) Before December 31 of each year, report on the implementation and effects of ORS 31.260 to 31.278 to an appropriate committee or interim committee of the Legislative Assembly.

CAPTIONS

SECTION 19. The unit captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.

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 June 13, 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