

Requested by Senator GELSER BLOUIN

**PROPOSED AMENDMENTS TO  
SENATE BILL 136**

1 On page 1 of the printed bill, delete lines 4 through 27 and delete page  
2 2 and insert:

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

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

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

9 **“(b) ‘Ownership interest’ means:**

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

13 **“(B) An interest in any mortgage, deed of trust, note or other ob-  
14 ligation secured by an agency if the interest equals at least five per-  
15 cent of the value of the property or assets of the agency;**

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

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

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

1       **“(c) ‘Provider’ means:**

2       **“(A) An agency;**

3       **“(B) An adult foster home, as defined in ORS 443.705, that is li-**  
4 **censed to provide residential care to individuals with intellectual or**  
5 **developmental disabilities; or**

6       **“(C) A developmental disability child foster home, as defined in ORS**  
7 **443.830.**

8       **“(d) ‘Responsible person’ means:**

9       **“(A) A person who exercises operational or managerial control over,**  
10 **who has an ownership interest in or who directly or indirectly con-**  
11 **ducts the day-to-day operations of an agency.**

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

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

17       **“(2) The Department of Human Services shall revoke the license,**  
18 **certificate or endorsement of a provider and deny any new application**  
19 **for a license, certificate or endorsement submitted by the provider:**

20       **“(a) For at least 12 months if a responsible person denies the de-**  
21 **partment access to a facility or an individual receiving services or di-**  
22 **rects an employee or substitute caregiver to deny the department**  
23 **access to a facility or an individual receiving services.**

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

28       **“(c) For at least 36 months if a responsible person’s persistent,**  
29 **egregious acts, failures to act or failures to adequately train or su-**  
30 **pervise employees or substitute caregivers led to, or reasonably would**

1 be expected to lead to, the death of or serious harm to an individual.

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

9 “(4) The department shall prescribe by rule when and for what  
10 length of time a provider may not hold a license, certificate or  
11 endorsement if the provider:

12 “(a) Repeatedly violates an individual’s rights;

13 “(b) Fails to make a mandatory abuse report;

14 “(c) Is the subject of repeated substantiated allegations of abuse;

15 “(d) Fails to complete plans of correction in a timely fashion;

16 “(e) Repeatedly fails to maintain appropriate, qualified staffing  
17 levels;

18 “(f) Repeatedly fails to provide access to needed care or services;

19 “(g) Repeatedly fails to document and report incidents as required  
20 by state or federal laws, rules or regulations;

21 “(h) Repeatedly fails to provide adequate training to employees who  
22 are responsible for direct care; or

23 “(i) Repeatedly fails to provide adequate supervision to employees  
24 who are responsible for direct care.”.

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