

## House Bill 3232

Sponsored by COMMITTEE ON HUMAN RESOURCES

### 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.

Directs Department of Human Resources to facilitate development of appropriate facilities for community care of mentally retarded and developmentally disabled persons.

### A BILL FOR AN ACT

Relating to mentally retarded and developmentally disabled persons.

Whereas the mentally retarded and developmentally disabled have a need for specialized treatment, services and habilitation for such disabilities; and

Whereas the treatment, services and habilitation for a mentally retarded or developmentally disabled person should be designed to maximize the developmental potential of the person and should be in the setting that is least restrictive to the person's personal liberty; and

Whereas the mentally retarded and developmentally disabled should be provided appropriate means to increase their independence and enhance their dignity; now, therefore,

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

**SECTION 1.** (1) The Legislative Assembly finds and declares, in keeping with proven treatment, services and individual habilitation needs, that a significant number of mentally retarded and developmentally disabled persons currently reside in state-operated hospitals and training centers simply because appropriate community-based residential facilities, day program and other support services do not exist. Therefore, the Department of Human Resources, through the Mental Health Division, is directed to facilitate the development of appropriate community-based residential facilities, day programs and necessary support services in an orderly and systematic manner. Further, the Department of Human Resources, through the Mental Health Division, is directed to define in administrative rules the role of state-operated hospitals and training centers as specialized back-up facilities to a primary system of community-based services for the mentally retarded and developmentally disabled.

(2) In carrying out the directive in subsection (1) of this section, the Mental Health Division shall develop a biennial plan in conjunction with the budgeting process for review by each Legislative Assembly. Such plans shall include:

(a) Proposals for the systematic decrease in the number of mentally retarded and developmentally disabled persons to be served in state-operated hospitals and training centers.

(b) Proposals for the orderly development of community-based residential facilities, day programs and necessary support services to accommodate persons coming out of state-operated hospitals and training centers

**NOTE:** Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with **SECTION**.

1 and to further prevent unnecessary institutionalization of mentally retarded and developmentally disabled  
2 persons.

3 (c) Proposals for the location of community-based services for mentally retarded and developmentally  
4 disabled persons in proximity to family, friends and home communities whenever possible.

5 (3) In further carrying out the directive in subsection (1) of this section, the Mental Health Division shall  
6 develop monitoring and evaluation systems which insure competent management, program quality and  
7 cost-effectiveness of community-based services. Such systems shall include:

8 (a) A comprehensive system of case management which assures an orderly movement of mentally retarded  
9 and developmentally disabled persons from state-operated hospitals and training centers to community-based  
10 services, and between community-based service alternatives, based on individualized planning and close  
11 cooperation with families and guardians.

12 (b) An annual progress assessment of every mentally retarded and developmentally disabled person served  
13 in programs or facilities operated or supported by the Mental Health Division.

14 (c) The development of specific standards for each component within the array of services, for mentally  
15 retarded and developmentally disabled persons, either operated or supported by the Mental Health Division  
16 and assure the competent management, program quality and cost-effectiveness of such services.

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