

Information Memorandum Transmittal Developmental Disabilities Services



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Issue date: 08/18/2020

Topic: Developmental Disabilities

Due date: 08/18/2020

Subject: Updates to ODDS Guidance related to Senate Bill 1606

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Message: ODDS is updating previously issued guidance documents to align with Senate Bill 1606 passed during the 2020 special legislative session. Updated guidance includes the following:

1. ODDS Knowing your Rights Fact Sheet (revised):

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/Covid-Medical-Rights-Fact-Sheet-Final.pdf>

2. List of Resources (revised):

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/Covid-Medical-Rights-Resources-Sheet.pdf>

3. Worker's Guide: Supporting Individual Preferences in Medical Decision-Making. (Note, this includes information from what was previously the "End of Life Guide):

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/Worker-Guide-Supporting-Preferences-Medical-Decision-Making.pdf>

4. Fact Sheet on Notification Requirements before Withholding or Withdrawing Life-Sustaining Treatment (new):

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/ODDS-Fact-Sheet-Notification-Required-Life-Sustaining-Treatment.pdf>

5. POLST Fact Sheet (new):

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/ODDS-POLST-Fact-Sheet.pdf>

6. Sample tool for documenting preferences for medical treatment:

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/ODDS%20Resource%20Library/Sample-Form-Preferences-Medical-Treatment.docx>

Summary of changes related to Senate Bill 1606:

- Individuals with intellectual and developmental disabilities have a statutorily recognized right to have a support person with them in the hospital. Individuals can designate up to three supporters.
- Hospitals cannot condition treatment or care, or suggest that treatment or care, is conditioned on having a POLST, advance directive, or other documentation of a decision to withhold or withdraw life-sustaining treatment.
- A hospital must ensure a support person designated by an individual is present for any discussion regarding hospice care or any discussion that may lead to documenting a decision to withhold or withdraw life-sustaining treatment.
- A health care representative, attending physician, or attending health care provider statutorily appointed under ORS 127.635(2) or (3) to make a decision to withhold or withdraw life-sustaining treatment for a person who has an intellectual or developmental disability must notify the case manager before life-sustaining procedures may be withheld or withdrawn.

If you have any questions about this information, contact:

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