

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 776

An Ordinance Amending Multnomah County Code 8.90 Pertaining
to the Licensing of Adult Care Homes

Multnomah County ordains as follows:

SECTION I FINDINGS

1. There has been no increase in licensing fees since the beginning of the licensing program and the original ordinance in 1986. Since that time there has been an increase of over 100% in the number of adult care homes being licensed. An increase in fees is necessary to carry out the intent of the ordinance; namely to license these homes in the interest of "public health, safety and welfare".

2. In addition, minor changes must be made to update the ordinance to comply with State statutes. Other amendments are made as further "housekeeping" changes.

SECTION II AMENDMENT

Multnomah County Code 8.90.060 is amended to read:

8.90.060 Licensure fee. There shall be a licensure fee of ~~[\$20.00]~~ \$40.00 per bed per annum up to a maximum of ~~[\$100.00]~~ \$200.00 per annum, payable to the department of [human] social services. There shall be a fee of ~~[\$10.00 for each change of resident manager.]~~ \$25.00 per annum for annual approval of each resident manager and \$10.00 fee for approval of each substitute caregiver.

SECTION III AMENDMENT

8.90.015(F) is amended to read:

1 (F) "Director" means the director of the department of
2 [human] social services of Multnomah County, Oregon, or his or her
3 designee.

4 SECTION IV AMENDMENT

5 8.90.040(A) is amended to read:

6 (A) It is unlawful, and it shall constitute an offense in
7 violation of this chapter, for any person to establish, maintain or
8 conduct in Multnomah County any adult care home without first having
9 been licensed by the director of the department of [human] social
10 services. Owners or operators of adult care homes at the time this
11 chapter becomes effective shall apply for a license no later than
12 March 31, 1986.

13 SECTION V AMENDMENT

14 8.90.080(C) is amended to read:

15 (C) An owner or operator of an adult care home whose
16 license has been revoked, suspended or denied, or who has operated
17 without a license in violation of this chapter, has a duty, when so
18 ordered by the director, to effect orderly and appropriate placement
19 of all residents, and to refund any monies due, within a reasonable
20 period of time from the effective date of the order. The owner or
21 operator shall cooperate with the department of [human] social
22 services, which shall assist the residents and operator in effecting
23 such placement.

24 SECTION VI AMENDMENT

25 8.90.090(A) is amended to read:

26 (A) Any owner or operator aggrieved by any decision of the

1 director with regard to its application for licensure, or a
2 violation of this chapter, may request a hearing by filing a written
3 request with the director. The request for a hearing shall be filed
4 within [ten] twenty days of receipt of written notice of the
5 director's action and shall set forth reasons for the hearing and
6 issues to be heard. The director may prescribe forms for the filing
7 of an appeal.

8 SECTION VII AMENDMENT

9 8.90.120(B)(16) is amended to read:

10 (16) If care is to be provided, not to be involuntarily
11 evicted, transferred or discharged without opportunity for a
12 hearing, by filing a request with the department of [human] social
13 services as provided for in the adult care home licensure ordinance
14 MCC 8.90.090, to determine if medical reasons, if the welfare of the
15 resident, other residents or the operator, or if nonpayment
16 justifies such action.

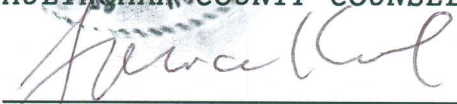
17 SECTION VIII ADOPTION

18 ADOPTED this 16th day of September, 1993, being the date of
19 its second reading before the Multnomah County Board of
20 Commissioners.

21 BOARD OF COUNTY COMMISSIONERS
22 FOR MULTNOMAH COUNTY, OREGON

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24 _____
25 Beverly Stein, Chair

26 REVIEWED:
MULTNOMAH COUNTY COUNSEL

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28 _____
29 Laurence Kressel
30 3 of 3 - ORDINANCE
31 REV 8/26/93