

Senate Bill 739 (SB 739) and SB 228 Changes for Memory Care Communities

March 2026

This document explains how you can share feedback on new administrative rules for memory care communities as part of implementing SB 739 and SB 228 (2025). After you read this information, please use the [SB 739 and SB 228 changes for memory care communities feedback form](#) to send your comments and/or questions to the department for consideration.

SB 739 and SB 228 background

These new laws change how memory care communities are regulated by the Oregon Department of Human Services.

SB 739 and SB 228 rulemaking

Administrative rules are being drafted to implement SB 739. For memory care communities only, the rules will also implement SB 228.

The rulemaking process is divided into three groups:

1. Adult foster homes
2. Residential care facilities and assisted living facilities
3. Memory care communities

The department will hold Rule Advisory Committee (RAC) meetings for each group. These meetings provide an opportunity for those affected by the legislation to share their input on draft language before the rules are finalized.

How to share input

There are a few ways you can get involved and share input. You can:

- Submit comments using the [feedback form](#).
- Submit comments by sending an email to: cbc.team@odhsoha.oregon.gov
- Attend a RAC meeting and share your thoughts. The information for upcoming RAC meetings and how to become a RAC member is posted on our [APD Rules Advisory Committees](#) webpage

The first memory care communities RAC meeting will be held on April 1, 2026, from 8 a.m. to noon, Pacific. All comments received, whether verbal or written, will be posted on the department's website.

- You can also [sign up to receive information](#) about RAC meetings and other updates

What provider types are affected by SB 739 and SB 228?

SB 739 applies to adult foster homes, residential care facilities, assisted living facilities and memory care communities. SB 228 applies only to memory care communities.

Memory care communities are special care settings in assisted living, nursing, or residential care facilities. They feature secure layouts and staff trained to support people with Alzheimer's or other types of dementia. Facilities must receive approval, called an endorsement, from ODHS to operate a memory care unit. Facilities must meet extra training, safety and care standards to receive an endorsement.

What changes apply to memory care endorsements?

Building design standards

- The law requires clarification about how memory care units are designed.
- Rules must include clear safety standards for memory care, such as building layout, exits from secure areas and other features that help keep residents safe.

Training requirements for administrators

- The law changes training requirements for administrators of memory care units.
- The rules clarify what topics must be covered in annual training for memory care administrators. Facilities must keep proof of completion.

When a resident is missing

- The law requires clear rules for what to do if a resident leaves the facility without staff knowing.
- Rules must explain who must be told, how quickly they must be told and what must be written down when this happens.

Standards for admission and transfers

- The law requires clear rules about who can move into a memory care unit and when someone may need to move out.
- Rules must require memory care communities to have written policies that explain who they can safely admit, when a move is needed, how families are notified and how care needs are shared with the next setting.

Clear plans for emergencies and closures

- The law requires written plans for emergencies and facility closures.
- Rules must make sure memory care communities have clear steps for evacuations and for keeping residents safe and cared for during a temporary or permanent closure.

Independent Family Councils

- The law now allows residents, families and legal representatives to form a private group in memory care communities to bring forward concerns and questions to facility leadership.

- Rules must require memory care communities to provide meeting space, receive written concerns, respond in writing within set timeframes and not punish anyone for participating.

Will providers receive updates and support concerning SB 739 and SB 228 changes for memory care communities?

Yes, the department will ensure continued communications and support on SB 739 and SB 228 through:

- [Provider Alerts](#) for community-based care facilities (scroll down to the community-based care section)
- [Provider Alerts](#) for Nursing facilities
- Monthly News Hour sessions
- Implementation Table meetings
- Regular updates

Can providers and community members give feedback on the proposed Oregon Administrative Rules (OARS)?

Yes. The Safety, Oversight and Quality unit will hold Rule Advisory Committee (RAC) meeting(s) to discuss the memory care rules. This will be an opportunity for providers and community members to offer suggestions and feedback on the proposed rule language.

All comments will be recorded for the public record and will be considered for final amendments to the rule language.

You must register as a RAC member to give feedback during the meeting; however, verbal and written feedback will be accepted by anyone during the public comment period. The information for upcoming RAC meetings and how to become a RAC member is posted on our [APD Rules Advisory Committees](#) webpage.

While all feedback is welcome and taken into consideration, the final rules must follow state law.

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Community-Based Care Policy Team at cbc.team@odhsoha.oregon.gov or 503-373-2227. We accept all relay calls.



Safety, Oversight and Quality Program

Aging and People with Disabilities

Oregon Department of Human Services

503-373-2227

cbc.team@odhsoha.oregon.gov.

oregon.gov/odhs/licensing/community-based-care