

HB 4129 B STAFF MEASURE SUMMARY

Carrier: Rep. McKeown, Rep. Esquivel

Joint Committee On Ways and Means

Action Date: 02/28/18

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

House Vote

Yeas: 11 - Gomberg, Holvey, McLane, Nathanson, Noble, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

Senate Vote

Yeas: 12 - DeBoer, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, President Courtney, Roblan, Steiner Hayward, Thomsen, Winters

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Linda Ames

WHAT THE MEASURE DOES:

HB 4129 renames the Nursing Home Administrator Board under the Health Licensing Office (HLO) housed in the Oregon Health Authority to the Long Term Care Administrators Board. The bill changes the makeup of the board's membership to, among other changes, include residential care administrators.

The bill authorizes HLO to add a new license category, residential care facility administrator, to the existing Nursing Home Administrators Board/ Long Term Care Administrator Board. The bill specifies qualifications for the license. The bill directs HLO to adopt rules to: (1) establish continuing education requirements; (2) approve training and continuing education requirements; and (3) for applicants to submit proof that the applicant has completed a tuberculosis screening with a satisfactory result. The bill requires the Long Term Care Administrators Board to adopt rules to determine the subjects, scope, and content of examinations for licensure.

ISSUES DISCUSSED:

- Fiscal impact of bill

EFFECT OF AMENDMENT:

Removes requirement for applicant for licensure to submit proof that applicant completed tuberculosis screening with satisfactory result. Requires DHS to adopt rules to allow a residential care facility to be operated by an individual who is not a licensed administrator, in transitional and emergency situations. Modifies qualifications for licensing. Modifies operative dates.

BACKGROUND:

Residential Care Facilities (RCFs) are shared or individual living units in a homelike surrounding where six or more seniors and adult individuals with disabilities can reside. An RCF offers and coordinates a range of supportive services available on a 24-hour basis to meet the activities of daily living, health, and social needs of the residents. Administrators of an RCF must currently either complete 40 classroom hours of Department of Human Services (DHS) approved training or a training program of less than 40 classroom hours and a 40-hour internship with a DHS approved administrator. Administrators must also complete 20 hours of continuing education each year.

The 2017 Legislative Assembly passed HB 3359 which established the Residential Care Quality Measurement Program and outlined several policy changes regarding residential and memory care facilities. After the passage of the bill, the Speaker of the House established the Administrator Licensing Work Group to make further recommendations.

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HB 4129 establishes a license for RCFAs within the HLO. RCFA is defined as an individual who is responsible for planning, organizing, and managing the operation of an RCF. Applicants are qualified for the RCFA license if they are at least 21 years old, have earned a high school diploma or its equivalent, demonstrated professional or academic requirements, have completed at least 40 hours of training, have paid the licensure fee, and pass the RCFA examination.

The measure also changes the “Nursing Home Administrators Board” to the “Long Term Care Administrators Board”. The Board may establish standards for the issuance of both nursing home administrator and RCFA licenses. The Board is required to approve the RCFA examination and determine the subject, scope, and content of the examination ensuring specificity to Oregon law and administrative rule. Membership of the Board is expanded to include three licensed RCFAs, with at least one of whom serves in a memory care community, and a physician experienced in geriatric care or care of people with disabilities.