

# House Bill 2981

Sponsored by Representatives NOSSE, WILDE

## 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**.

Requires Oregon Health Authority to establish and administer program to provide palliative care services and support provision of home- and community-based end of life care. Specifies eligibility, services and provider qualifications.

## A BILL FOR AN ACT

1  
2 Relating to palliative care.

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

4 **SECTION 1. The Oregon Health Authority shall establish and administer, through fee-**  
5 **for-service payment or through coordinated care organizations, a program to provide**  
6 **palliative care services and support the provision of home- and community-based end of life**  
7 **care. The authority shall adopt by rule eligibility requirements, provider qualifications, ser-**  
8 **vices to be provided and rates of reimbursement, consistent with the following guidelines:**

9 (1) **A patient shall qualify for palliative care if:**

10 (a) **The patient has been diagnosed with a serious illness with a life-limiting prognosis**  
11 **of 24 months or less that negatively impacts the patient's or caregiver's quality of life;**

12 (b) **Palliative care is ordered by a physician or primary health care provider; and**

13 (c) **The patient may be at risk for frequent emergency department visits or frequent**  
14 **hospitalizations.**

15 (2) **The palliative care services must be provided by an interdisciplinary team of providers**  
16 **who are trained or certified in palliative care. A team must include:**

17 (a) **A case manager who is a registered nurse under ORS 678.010 to 678.410;**

18 (b) **A medical social worker; and**

19 (c) **A physician or other primary health care provider.**

20 (3) **The palliative care must be provided in the patient's residence of choice, which may**  
21 **include a long term care facility, as defined in ORS 442.015.**

22 (4) **The services that must be provided, as determined by the team, include, but are not**  
23 **limited to:**

24 (a) **Palliative care assessment;**

25 (b) **Advanced care planning including discussion regarding completion of a POLST, as**  
26 **defined in ORS 127.663;**

27 (c) **Case management and care coordination provided by a registered nurse under ORS**  
28 **678.010 to 678.410;**

29 (d) **Pain and symptom management;**

30 (e) **Mental health and medical social work services;**

31 (f) **Twenty-four hour clinical telephone support; and**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (g) Spiritual care services.

2 (5) Providers of palliative care under this section must be reimbursed through agree-  
3 ments with coordinated care organizations or by fee-for-service payment per episode of care  
4 or through a mutually agreed upon payment structure.

5 **SECTION 2.** (1) Section 1 of this 2021 Act becomes operative on the later of July 1, 2022,  
6 or the date that the Centers for Medicare and Medicaid Services approves the implementa-  
7 tion of section 1 of this 2021 Act.

8 (2) The Oregon Health Authority shall immediately notify the Legislative Counsel if the  
9 Centers for Medicare and Medicaid Services approves or disapproves, in whole or in part, the  
10 implementation of section 1 of this 2021 Act.

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