

HB 2665 A STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

Action Date: 04/03/23

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 6-5-0-0

Yeas: 6 - Bowman, Dexter, Nelson, Nosse, Pham H, Tran

Nays: 5 - Conrad, Diehl, Goodwin, Javadi, Morgan

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 3/15, 4/3

WHAT THE MEASURE DOES:

Requires Health Licensing Office (HLO) to establish process to receive and investigate complaints regarding temporary staffing agency. Authorizes HLO to impose civil penalties, or revoke, suspend, or impose conditions on authorization in specified circumstances. Clarifies definition of "personnel" for purposes of temporary staffing agency regulation. Requires temporary staffing agency to ensure personnel complete criminal records check; complete required training and continuing education; possess necessary skills, knowledge, and experience; and comply with applicable health requirements. Requires Oregon Health Authority (OHA) to adopt rules establishing maximum rates temporary staffing agency may charge. Establishes criteria and factors to guide maximum rate development. Requires OHA to consult with temporary staffing agencies and specified providers in establishing maximum rates. Allows temporary staffing agency to receive rates in excess of maximum if rates apply to 25 or fewer personnel in single licensed care setting. Requires OHA to establish processes for waiver of maximum rate. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Role of temporary staffing agencies in addressing workforce shortages
- Cost containment measures for temporary staffing agencies adopted in Massachusetts and Minnesota
- Senate Bill 1549 (2022)
- Percentage of temporary staffing agency rates used on staff wages

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The use of temporary staffing agencies in the health care sector has grown in recent years, particularly as hospitals, long term care facilities, and other health care industries have had to deal with the increased care demands brought on by the COVID-19 pandemic. Temporary health care staff can include travel nurses, per diem nurses, locum tenens physicians, and allied health care professionals (dietitians, medical technologists, occupational therapists, physical therapists, radiographers, respiratory therapists, and speech language pathologists).

House Bill 2665 A requires the Health Licensing Office to establish a process to receive and investigate complaints regarding temporary staffing agencies and directs the Oregon Health Authority to establish maximum temporary staffing agency rates, including processes for waiver of the maximum rates.