

Presentation to the Senate Committee on Health Care

Oversight of nursing facility ownership

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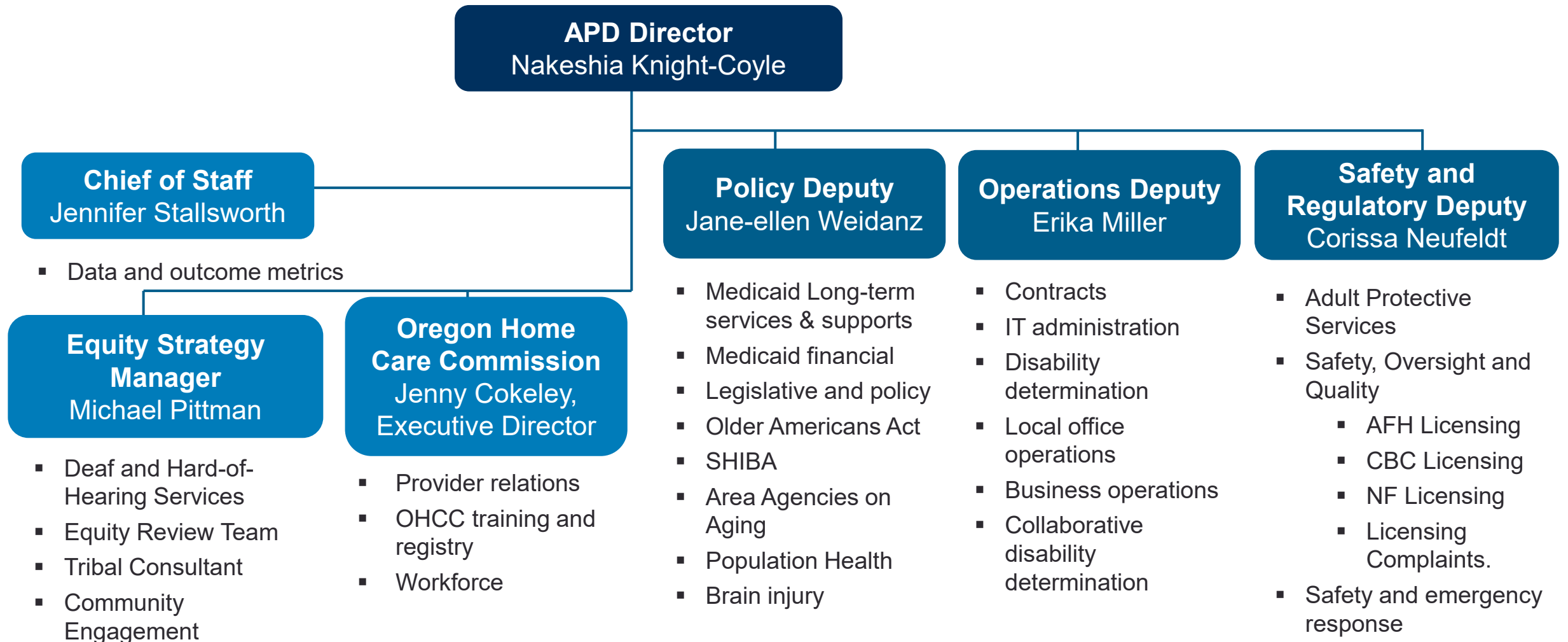
Agenda

- I. Introduction
- II. Licensing and regulatory oversight
- III. Ownership data
- IV. Information collected
- V. Questions

Office of Aging and
People with Disabilities



Introduction: How we are organized



Introduction: Continuous improvement in safety

- Sufficient state and provider workforce
- Improved integration of APD units
 - 360 reviews of facility performance
- Consistent implementation
 - Updating rules and guidance
- Increased accountability and transparency
 - Tracking ownership changes
 - Participating in learning collaborative



Introduction: Licensed settings

Nursing facilities

Licensing, regulatory oversight, abuse and complaint investigation provided by an APD central office unit and the Centers for Medicare and Medicaid Services (CMS).



Assisted living/ residential care facilities

Oversight, complaint investigation and technical support provided through staff in an APD central office unit. Adult Protective Services investigates abuse.



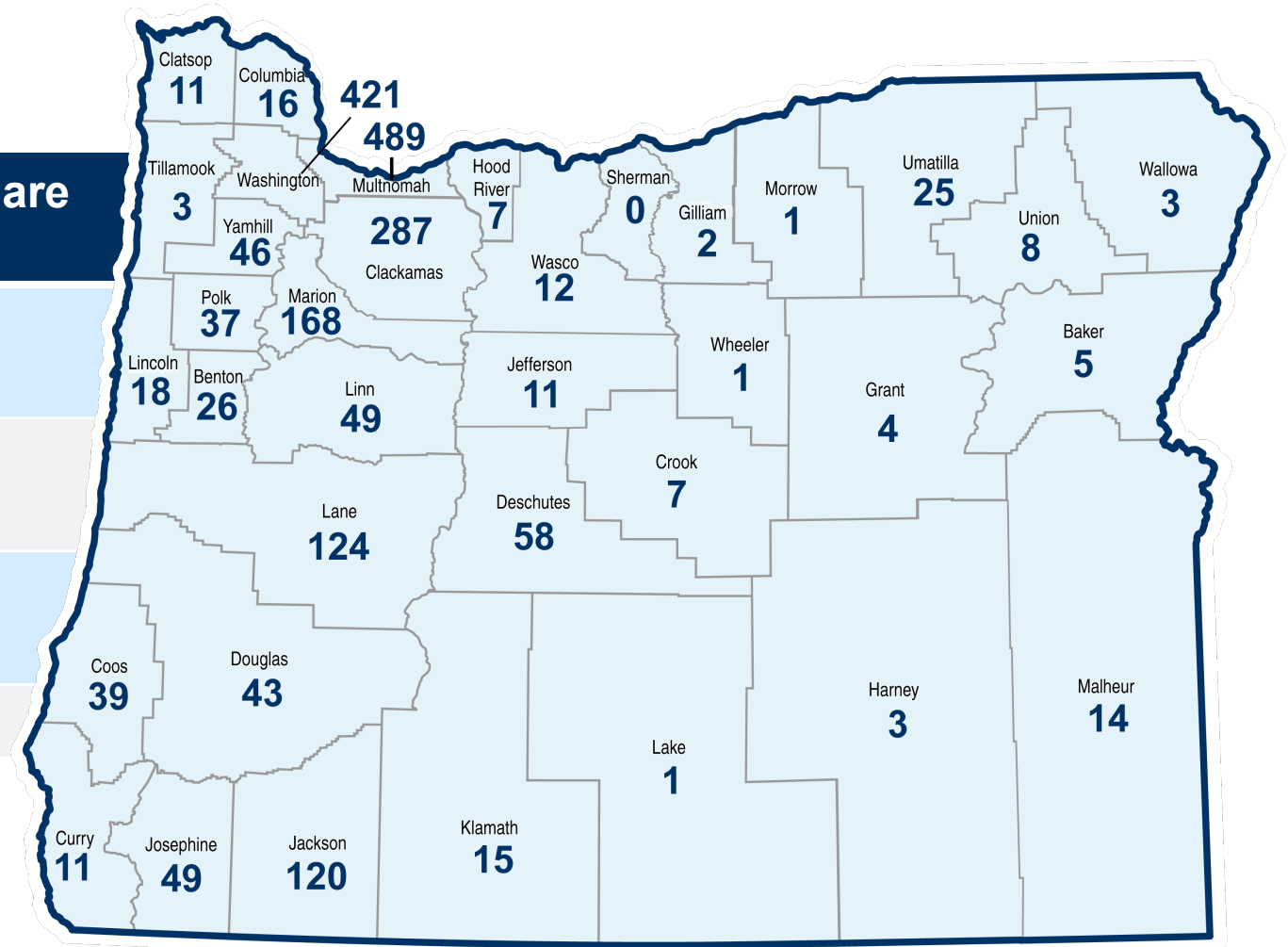
Adult foster homes

Licensing oversight and complaint investigation provided by staff in local APD or Area Agency on Aging (AAA) offices and a central office unit. Adult Protective Services investigates abuse.



Number of licensed providers by type

Setting type	Total Number	Memory Care Endorsed
Nursing Facility	128	8
Assisted Living and Residential Care	574	250
Adult Foster Home	1,432	N/A
Totals	2,134	258



Nursing facility overview

- Nursing facilities serve six or more residents and provide:
 - Short-term rehabilitative care following hospitalization
 - Long-term care for individuals with a chronic illness or disability.
- Have licensed nursing and certified nursing assistant staff requirements.
- May be endorsed to provide memory care in all or part of building.
- Inspected for licensing compliance annually.



2024 ownership turnover data

In the 2024 calendar-year, **22**, or 17 percent, of the **128 nursing facilities** in Oregon changed owners.

- Of those 22 nursing facilities with a new owner, **20 were from out of state** and new to operating in Oregon.
 - 2 out-of-state owners already had existing facilities in Oregon.
 - 18 of the new out-of-state owners are publicly traded companies.
 - 1 is an in-state established provider that expanded.
 - 1 is individually owned by provider that is also new to Oregon.

Nursing facility ownership information collected

- | | |
|---|---|
| <ul style="list-style-type: none">• Business owner name, address, phone, fax and mailing address• Property owner information, if different than business owner• Proof of issued Federal Employer Identification Number• Individual Social Security numbers for 5 percent or more ownership if serving people who receive Medicaid/Medicare | <ul style="list-style-type: none">• Workers' compensation and liability insurance carriers• List of each long-term care facility owned or managed by any person owning 5 percent or more of a facility• Background check• Applicant history in meeting licensing compliance requirements• Experience and financial history |
|---|---|

How ownership data is used in licensing

- Identifies and determines who the licensee is for the facility.
- Determines if the provider can be enrolled as a Medicaid provider.
- May be used to determine responsibility when there is regulatory non-compliance and complaints, including abuse.
- Currently, only limited ownership information is shared on APD's dedicated licensing compliance website.



New federal rules for nursing facility owner and financial data

Effective Jan. 16, 2024:

- Defines *private equity* and *real estate investment trust*, allowing states to better identify whether a nursing facility belongs to one of these types of owners.
- Requires nursing facilities enrolled in Medicare or Medicaid disclose additional information about certain people or entities that have a **business relationship** with the facility.
- Nursing facilities must disclose **entities that exercise financial control** over the facility.
- Requires additional information about entities that **lease or sublease property** to nursing facilities.



Disclosure requirement examples

Expanded requirements include 5 percent or more of ownership stake held by:

- Private equity companies
- Real estate investment trusts
- Other owner relationships.

Other details required include the name, title, and period of service, for each person or entity who is an:

- Officer
- Director
- Partner
- Trustee
- Managing employee
- Member of a facility's governing body.



Questions?
