

HB 3942 B -B3 STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By: Brian Nieubuert

Meeting Dates: 6/18

WHAT THE MEASURE DOES:

The measure requires the Oregon Health Authority (OHA) and Oregon Department of Human Services (ODHS) to provide an expedited licensure process for health care facilities in specified circumstances.

Detailed Summary:

- Requires OHA and DHS to provide an expedited licensure process for health care facilities that:
 - Were previously licensed in last 24 months;
 - Closed voluntarily due to financial hardship;
 - Will operate in the same location with no major changes; and
 - In the case of a new operator, currently operates a health care facility of the same type in the state that is in good standing.
- Requires expedited licensure process to issue licensure within 45 days if conditions are met.
- Permits applicant to operate facility with a provisional license upon attestation that applicant and facility meet all applicable health and safety rules. Requires OHA or ODHS to conduct an on-site inspection prior to issuing a provisional license.
- Includes affiliated entities in definition of "applicant."
- Makes specific health and safety requirements for provisional licenses.
- Specifies that expedited license cannot be issued if facility requires a certificate of need that has not been obtained.
- Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-B3 Replaces the measure.

- Adds residential facilities primarily serving persons under 21 years of age to facilities exempt from expedited licensure process.
- Modifies and clarifies criteria qualifying a facility for an expedited license:
 - Expands period in which facility closed to be eligible for expedited licensure from 24 to 60 months
 - Makes person governmental unit ineligible for expedited licensure if the license was voluntarily surrendered during the course of a licensing or abuse investigation or to avoid a license revocation, and OHA suspending or imposed conditions on the license within the 12 months immediately preceding the date the license was surrendered

BACKGROUND:

The Oregon Health Authority's Health Facility Licensing and Certification Program (HFLC) is responsible for licensing and regulating certain types of non-long term care health care facilities. Facilities regulated by the HFLC include hospitals, ambulatory surgery centers, federally qualified health centers, and rural health clinics. The Oregon Department of Human Services is responsible for licensing and regulating long term care facilities, including adult foster homes, residential care facilities, assisted living facilities, and nursing homes.

House Bill 3942 B requires the Oregon Health Authority and Oregon Department of Human Services to provide an expedited licensure process for health care facilities in specified circumstances.