

SB 1162 A STAFF MEASURE SUMMARY

Senate Committee On Health Care

Action Date: 04/03/25

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 3-2-0-0

Yeas: 3 - Campos, Patterson, Reynolds

Nays: 2 - Hayden, Linthicum

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Daniel Dietz, LPRO Analyst

Meeting Dates: 4/1, 4/3

WHAT THE MEASURE DOES:

The measure requires an approved certificate of need to establish, expand, or relocate a hospice program into a new program area.

Detailed Summary:

Certificate of Need

- Directs the Oregon Health Authority (OHA) to make rules for application requirements, to include
 - a description of the proposed project,
 - evidence of the need for hospice services in the proposed service area,
 - financial projections and sustainability plans, and
 - an analysis of the impact on existing hospice providers.
- Requires OHA to evaluate applications based on
 - community need for additional hospice services,
 - accessibility of hospice services for underserved populations,
 - cost-effectiveness and financial viability, and
 - quality standards and compliance with state federal laws.
- Permits the OHA Director to impose a civil penalty of up to \$50,000 for operating a hospice program without a valid certificate of need.

Administrative Review

- Requires OHA to hold a public hearing within 60 days of receiving an application and to issue a proposed decision within 90 days after the public hearing.
- Provides for a contested case hearing to challenge the proposed decision.

Becomes operative January 1, 2027. Declares an emergency, effective on package.

ISSUES DISCUSSED:

- Patient experiences in different hospice settings.
- Effectiveness of existing certificate of need programs.

EFFECT OF AMENDMENT:

Changes operative date from January 1, 2026, to January 1, 2027.

BACKGROUND:

According to the Centers for Medicare and Medicaid Services (CMS), hospice is a comprehensive, holistic program of care and support for terminally ill patients and their families. Hospice care changes the focus to comfort care

SB 1162 A STAFF MEASURE SUMMARY

(palliative care) for pain relief and symptom management instead of care to cure the patient's illness. Both Medicare Part A and the Oregon Health Plan cover hospice services.

In Oregon, new hospitals and skilled nursing facilities must a certificate of need from the Oregon Health Authority prior to an offering or development. [ORS 442.315](#).

Senate Bill 1162 A requires hospice facilities to obtain a certificate of need prior to establishing or expanding a facility in a service area.