

HB 3942 C STAFF MEASURE SUMMARY

Carrier: Sen. Gelser Blouin

Senate Committee On Rules

Action Date: 06/18/25

Action: Do pass with amendments to the B-Eng bill. (Printed C-Eng.)

Vote: 4-0-1-0

Yeas: 4 - Bonham, Golden, Jama, Manning Jr

Exc: 1 - Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 6/18

WHAT THE MEASURE DOES:

The measure requires the Oregon Health Authority (OHA) to provide an expedited licensure process for certain health care facilities in specified circumstances.

Detailed Summary:

- Defines "applicant" and excludes long term care facilities and residential facilities primarily serving individuals under 21 years of age from definition of "health care facility."
- Requires OHA to provide an expedited licensure process for health care facilities if:
 - The license is to operate a facility in the same location with no significant changes that previously licensed in last 60 months and closed voluntarily due to financial hardship;
 - The applicant currently operates a facility of the same type;
 - The applicant is in good standing with state laws and regulations;
 - There are no outstanding compliance issues at any facility operated by the applicant;
 - Each licensed provider working at the facility holds a license that is in good standing; and
 - The facility for which the applicant is applying for licensure is in compliance with all applicable rules and regulations.
- Requires OHA to issue license via expedited process, within 45 days, if conditions are met.
- Permits OHA to grant construction and inspection waivers.
- Permits applicant to operate facility with a provisional license if applicant attests that applicant and facility meet all applicable health and safety rules and site inspection by OHA finds no immediate risk to patient health or safety.
- Makes applicant 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 suspended or imposed conditions on the license within the 12 months immediately preceding the date the license was surrendered.
- Specifies that expedited license cannot be issued if facility requires a certificate of need that has not been obtained.

ISSUES DISCUSSED:

- Closure of lone dialysis clinic in Tillamook and impacts
- Concerns regarding facilities that have surrendered operating license but had no formal action against license

EFFECT OF AMENDMENT:

- Removes facilities licensed by the Oregon Department of Human Services, and adds residential facilities primarily serving persons under 21 years of age, to facilities not eligible for expedited licensure process.
- Modifies and clarifies criteria qualifying a facility for an expedited license:
 - Expands period in which facility closed from 24 to 60 months to be eligible for expedited licensure
 - Makes applicant 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 suspended or

This summary has not been adopted or officially endorsed by action of the committee.

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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 C requires the Oregon Health Authority to provide an expedited licensure process for certain health care facilities in specified circumstances.