

SB 136-1
(LC 2419)
3/20/25 (RH/ps)

Requested by Senator GELSER BLOUIN

**PROPOSED AMENDMENTS TO
SENATE BILL 136**

1 On page 1 of the printed bill, delete lines 4 through 27 and delete page
2 2 and insert:

3 **“SECTION 1. Section 2 of this 2025 Act is added to and made a part**
4 **of ORS chapter 427.**

5 **“SECTION 2. (1) As used in this section, ‘excluded provider list’**
6 **means the comprehensive listing maintained by the United States De-**
7 **partment of Health and Human Services’ Office of Inspector General**
8 **of providers that are excluded from participation in federal health care**
9 **programs.**

10 **“(2) The Department of Human Services shall revoke the license,**
11 **certificate or endorsement of a provider of community-based services**
12 **to individuals with intellectual or developmental disabilities and deny**
13 **any new application for a license, certificate or endorsement submitted**
14 **by the provider:**

15 **“(a) For at least 12 months if a manager or resident manager of the**
16 **provider is placed on the excluded provider list while employed by the**
17 **provider.**

18 **“(b) For at least 12 months if the provider denies the department**
19 **or a community developmental disabilities program access to records,**
20 **a facility or an individual receiving services.**

21 **“(c) For at least 24 months if the provider alters, conceals, destroys**

1 or otherwise manipulates records.

2 “(d) For at least 24 months if the provider is found to have com-
3 mitted a serious health or safety violation three or more times in any
4 18-month period.

5 “(e) At all times if the department becomes aware by any means
6 that the owner of the provider or a member of the provider’s govern-
7 ing board or executive team, or an immediate family member of the
8 owner or member of the governing board or executive team, has:

9 “(A) Been placed on the excluded provider list;

10 “(B) Been found to have committed Medicaid fraud within the pre-
11 ceding 10 years;

12 “(C) Had revoked a license, certificate or endorsement for the pro-
13 vision of care or services to children, adults with physical disabilities
14 or developmental disabilities or older adults within the preceding 10
15 years; or

16 “(D) Voluntarily surrendered a license, certificate or endorsement
17 for the provision of care or services to children, adults with physical
18 disabilities or developmental disabilities or older adults while under
19 investigation for fraud, maltreatment, financial mismanagement,
20 criminal activity or other licensing violations within the preceding
21 seven years.

22 “(3) If the department has reasonable cause to believe that the op-
23 erations of a provider put the health, safety, rights or welfare of the
24 individuals served by the provider at risk, the department may revoke,
25 suspend or impose conditions on the license, certificate or endorse-
26 ment of the provider. A suspension or condition imposed under this
27 subsection may not be lifted until the department has confirmed that
28 all concerns have been remediated.

29 “(4) The department shall prescribe by rule when and for what
30 length of time a provider may not hold a license, certificate or

1 **endorsement if the provider:**

2 **“(a) Repeatedly violates an individual’s rights;**

3 **“(b) Fails to make a mandatory abuse report;**

4 **“(c) Is the subject of repeated substantiated allegations of abuse;**

5 **“(d) Fails to complete plans of correction in a timely fashion;**

6 **“(e) Repeatedly fails to maintain appropriate, qualified staffing**
7 **levels;**

8 **“(f) Repeatedly fails to provide access to needed care or services;**
9 **or**

10 **“(g) Repeatedly fails to document and report incidents as required**
11 **by state or federal law.”.**

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