

Requested by Representative JAVADI

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3942**

1 On page 1 of the printed A-engrossed bill, line 2, after “facilities” insert
2 a period and delete the rest of the line and delete line 3.

3 Delete lines 7 through 20 and delete page 2 and insert:

4 **“SECTION 2. (1) As used in this section, ‘applicant’ includes a**
5 **person’s or governmental unit’s parent corporation or any entity af-**
6 **filiated with the person, governmental unit or parent corporation**
7 **through ownership, governance, control or membership.**

8 **“(2) The Oregon Health Authority, for health care facilities, except**
9 **long term care facilities as defined in ORS 442.015, and the Department**
10 **of Human Services, for long term care facilities, shall provide for an**
11 **expedited licensure process.**

12 **“(3) A person or governmental unit shall be eligible to use the ex-**
13 **pedited licensure process to apply for a license to operate a health care**
14 **facility, if the license is to operate a health care facility in the same**
15 **physical location with no significant structural or functional changes**
16 **and of the same type as a health care facility that previously operated**
17 **at the location and the previously operated health care facility closed**
18 **within the last 24 months and was closed voluntarily or due to finan-**
19 **cial hardship.**

20 **“(4) Under the expedited licensure process:**

21 **“(a) An eligible applicant shall be issued a license to operate a**

1 health care facility if:

2 “(A) The applicant currently operates a health care facility that is
3 located in this state and that is of the same type as the health care
4 facility for which the applicant is applying for a license to operate;

5 “(B) The applicant is in good standing under the laws and regu-
6 lations of this state;

7 “(C) There are no current or outstanding compliance issues at any
8 health care facility that the applicant operates located in this state;

9 “(D) Each licensed health care provider who works at a health care
10 facility that the applicant operates located in this state holds a license
11 that is in good standing; and

12 “(E) The health care facility for which the applicant is applying for
13 a license to operate is in compliance with all rules and regulations of
14 this state that apply to the health care facility.

15 “(b)(A) A license to operate a health care facility that is not a long
16 term care facility shall be issued within 45 days after the date on
17 which an application is filed if the health care facility meets the cri-
18 teria listed under paragraph (a) of this subsection, unless a waiver is
19 granted under paragraph (c) of this subsection.

20 “(B) A license to operate a health care facility that is a long term
21 care facility shall be issued as soon as reasonably practicable after an
22 application is filed if the health care facility meets the criteria listed
23 under paragraph (a) of this subsection, unless a waiver is granted un-
24 der paragraph (c) of this subsection.

25 “(c) Waivers for construction and inspection requirements shall be
26 granted as appropriate.

27 “(5)(a) An applicant shall be issued a provisional license to operate
28 the health care facility while the applicant’s application is being pro-
29 cessed and reviewed under subsection (4) of this section, if:

30 “(A) The applicant submits an attestation that the applicant and

1 health care facility meet all health and safety rules and regulations
2 that apply to the health care facility; and

3 “(B) Upon conducting a site inspection under paragraph (b) of this
4 subsection, the authority or department finds that the operation of the
5 health care facility does not place patient health or safety in immedi-
6 ate jeopardy.

7 “(b) Prior to issuing a provisional license, the authority or depart-
8 ment shall conduct an in-person site inspection of the health care fa-
9 cility under ORS 441.025.

10 “(c) The authority or department may prescribe by rule a fee to be
11 charged for a provisional license.

12 “(6) A license may not be issued under this section for a health care
13 facility if a certificate of need is required under ORS 442.315 and has
14 not been obtained.”.

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