

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Bonamici, Bruun, Cannon, Flores, Gelser, Kotek, Maurer, Richardson, Greenlick
Nays:	0
Exc.:	0
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	4/5 (Policy sub), 4/17 (Policy sub), 4/24 (Policy sub), 4/30 (Full)

WHAT THE MEASURE DOES: Requires Department of Human Services to adopt bill of rights for residents and patients of long-term care facilities. Establishes that rights adopted be in addition to current rights under statute. Requires that resident's rights include receiving care from trained staff specific to resident's disease or medical condition and modified or special diet that meets the specific requirements of the resident's disease or medical condition.

ISSUES DISCUSSED:

- Situations of persons with Parkinson's Disease in nursing homes
- Nursing home staff knowledge of Parkinson's Disease
- Incident rates of Parkinson's Disease and demographics
- Current level of identified cases of Parkinson's Disease
- Importance of nutrition for individuals with Parkinson's Disease
- Overview of Long-term Care Ombudsman program
- Individual care plan requirement for long-term care centers
- Current training and in-service requirements for long-term care staff
- Medication and meal management are the areas of chief complaints to the Long-term Care Ombudsman office
- Concerns about whether the measure will address the problems raised

EFFECT OF COMMITTEE AMENDMENT: Deletes language relating to medication administration.

BACKGROUND: Statute defines "Long-term care facility" as a facility with permanent facilities that include inpatient beds providing medical services, including nursing services but excluding surgical procedures except as may be permitted by the rules of the director, to provide treatment for two or more unrelated patients [ORS 442.015(22)]. Long-term care facilities include skilled nursing facilities and intermediate care facilities but may not be construed to include facilities licensed and operated pursuant to ORS 443.400 to 443.455. The nursing home patients' bill of rights, as defined in ORS 441.610, stipulates that:

- (1) The Department of Human Services shall adopt a nursing home patients' bill of rights consistent with the principles set forth in ORS 441.605. The rules shall be applicable to all residents and as far as practicable shall conform to any federal nursing home patients' bill of rights.
- (2) The department shall periodically review the rules to assure that they meet the principles set forth in ORS 441.605 and that they are in conformity with federal standards but in no case shall the rules be less protective than required by ORS 441.605.
- (3) The department shall be guided by federal interpretative standards in its enforcement of the nursing home patients' bill of rights. [1979 c.261 §5; 1987 c.397 §2]

5/11/2007 9:50:00 AM

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