

75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session
STAFF MEASURE SUMMARY
House Committee on Human Services

** CORRECTED **
MEASURE: HB 2138 A
CARRIER: Rep. Cowan

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Boone, Cowan, Dembrow, Freeman, Huffman, Maurer, Olson, VanOrman, Tomei
Nays:	0
Exc.:	0
Prepared By:	Keely West, Administrator
Meeting Dates:	2/9, 4/6

WHAT THE MEASURE DOES: Updates language and definitions related to continuing care retirement communities. Provides for increased disclosure of operating expenses including fees, financial status and Medicare and Medicaid provider status. Provides for the rights of residents in a continuing care community including establishment of a resident council and a resident representative to the community governing board. Eliminates entrance fees from definition of “open bed long term care facility.” Eliminates requirement that changes to residential disclosure statements be disclosed to the Department of Human Services (DHS) prior to release to residents. Requires providers amending an annual disclosure statement file all new materials with DHS.

ISSUES DISCUSSED:

- Need for increased transparency, consumer protection
- 18 years since previous review of legislation
- Consensus of stakeholder workgroup and final recommendations

EFFECT OF COMMITTEE AMENDMENT: Eliminates entrance fees from definition of “open bed long term care facility.” Eliminates requirement that changes to residential disclosure statements be disclosed to the Department of Human Services (DHS) prior to release to residents. Requires providers amending an annual disclosure statement file all new materials with DHS.

BACKGROUND: In response to a 2007 Legislative request, the Department of Human Services convened an advisory council and reviewed legislation relating to periodic charges, disclosure requirements and the budget process in continuing care retirement communities. The advisory council met throughout the interim and developed HB 2138 to increase transparency in continuing care retirement communities.

HB 2138-A updates statutory language and increases consumer protection for individuals in such communities based on the work of the advisory council.

4/15/2009 12:04:00 PM

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