

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended, Be Printed Engrossed, and Be Referred to the Committee on Ways and Means by prior reference
Vote:	5 - 0 - 0
Yeas:	Kruse, Monnes Anderson, Telfer, Verger, Morrisette
Nays:	0
Exc.:	0
Prepared By:	Jennifer Kellar, Administrator
Meeting Dates:	2/25, 3/25, 4/8, 4/13

WHAT THE MEASURE DOES: Removes authority of federal Centers for Medicare and Medicaid Services, Oregon Hospice Association and Joint Commission on Accreditation of Healthcare Organizations to certify or accredit hospice programs to operate in the state and establishes authority of the Department of Human Services to license hospice programs. Authorizes the Department to establish by rule the requirements, qualifications and fees for licensing and to impose civil penalties of \$1,000 per day, up to \$10,000 in a 30-day period. Becomes operative January 1, 2010. Declares emergency, takes effect upon passage.

ISSUES DISCUSSED:

- Confusion by public as to agency responsibility for licensing, certification and accreditation authority
- Oversight, coordination and identification of problems within various state and non-state organizations
- Frequency of on-site inspections from six to ten years to one to three years
- Program is fee supported only
- Proposed amendment to ensure unified standard of oversight and authority to assess fees for agency investigations

EFFECT OF COMMITTEE AMENDMENT: Establishes the \$750 licensing fee in statute rather than by rule. Clarifies that the Department of Human Services may make on-site inspections every three years or "cause to be made" an inspection allowing the Department to accept the inspection of state approved accrediting body if the facility would prefer such an inspection in lieu of one conducted by state staff.

BACKGROUND: The licensing of health care facilities and health care agencies is a statutory responsibility of the Health Care Licensure and Certification program in the Public Health Division of the Department of Human Services. Hospice agencies currently are not licensed, but rather certified or accredited through Centers for Medicare and Medicaid Services, Oregon Hospice Association and Joint Commission on Accreditation of Healthcare Organizations. Inspection frequency is currently every six to ten years under the Medicare survey grant and contingent on funding levels.