

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** SB 161 **STATUS:** A Engrossed  
**SUBJECT:** Authorizes the Department of Human Services to license hospice programs  
**GOVERNMENT UNIT AFFECTED:** Department of Human Services  
**PREPARED BY:** Kim To  
**REVIEWED BY:** John Britton  
**DATE:** April 15, 2009

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	<u>2009-2011</u>	<u>2011-2013</u>
<b>EXPENDITURES:</b>		
Other Fund – Personal Services	\$39,769	\$106,525
Other Fund – Services and Supplies	19,150	22,855
<b>TOTAL Other Fund</b>	<b>\$58,919</b>	<b>\$129,380</b>
<b>REVENUES:</b>		
Other Fund	\$109,500	\$109,500
<b>POSITIONS / FTE:</b>		
Client Care Surveyor (Salary Range 28)	1/0.28	1/0.75

**EFFECTIVE DATE:** On passage

**LOCAL GOVERNMENT MANDATE:** This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**ANALYSIS:** This measure:

1. modifies the certification and accreditation of hospice programs in Oregon, by establishing the authority of the Department of Human Services (DHS) to license all hospice programs in the state;
2. authorizes DHS to adopt rules regarding requirements, qualifications and fees for licensure;
3. requires DHS to conduct inspections at least once every three years; and
4. allows DHS to impose civil penalty of \$1,000 per day up to \$10,000 in any 30-day period for violation of terms or conditions of licensure (operative on January 1, 2010).

DHS may take action before the operative date. The bill directs all moneys from fees and civil penalties to be deposited to the credit of the Public Health Account. The measure also specifies the requirements of licensure and certification.

This bill is part of the 2009-11 proposed budget as Policy Option Package #326. To implement this program, DHS anticipates creating one permanent ¾ part-time Client Care Surveyor position (0.28 FTE in 2009-11) to administer the licensing program including performing inspections and investigating complaints. Services and Supplies costs for 2009-11 include one-time costs of computer and other start-up office equipment. Services and Supplies recurring costs include in-state travel reimbursement, facilities rent, employee training and telecommunications expenses.

DHS does not expect revenue from civil penalty. The bill specifies a \$750 annual licensing fee. With 73 existing hospice programs in Oregon, Other Funds revenue from annual licensing fees is estimated at \$109,500 per biennium.