

# House Bill 3099

Sponsored by Representative JOHNSON; Representative GREENLICK

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Authority and Department of Human Services to adopt standards and conduct examinations to ensure linguistic competence of health care facility and residential facility direct care staff hired on or after January 1, 2014.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to linguistically appropriate care; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 441.015 to**  
5 **441.087.**

6 **SECTION 2. (1) The Oregon Health Authority and the Department of Human Services**  
7 **shall adopt by rule standards for the health care facilities within their respective jurisdic-**  
8 **tions to ensure that each facility has a sufficient number of direct care staff who are lin-**  
9 **guistically competent in each of the primary languages spoken by the residents of the**  
10 **facility. The standards must ensure that each resident has immediate access at all times to**  
11 **a direct care staff person who is fluent in the language spoken by the resident.**

12 **(2) The authority and the department shall conduct, or shall contract with an entity to**  
13 **conduct, examinations of direct care staff to ensure the language proficiency of each staff**  
14 **person who is counted toward meeting the standards adopted by the authority and the de-**  
15 **partment under this section.**

16 **SECTION 3. Section 4 of this 2013 Act is added to and made a part of ORS 443.400 to**  
17 **443.455.**

18 **SECTION 4. (1) The Oregon Health Authority and the Department of Human Services**  
19 **shall adopt by rule standards for the residential facilities within their respective jurisdictions**  
20 **to ensure that each facility has a sufficient number of direct care staff who are linguistically**  
21 **competent in each of the primary languages spoken by the residents of the facility. The**  
22 **standards must ensure that each resident has immediate access at all times to a direct care**  
23 **staff person who is fluent in the language spoken by the resident.**

24 **(2) The authority and the department shall conduct, or shall contract with an entity to**  
25 **conduct, examinations of direct care staff to ensure the language proficiency of each staff**  
26 **person who is counted toward meeting the standards adopted by the authority and the de-**  
27 **partment under this section.**

28 **SECTION 5. The examinations required by sections 2 and 4 of this 2013 Act apply to all**  
29 **direct care staff hired by a health care facility or a residential facility on or after January**  
30 **1, 2014.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1        **SECTION 6. This 2013 Act being necessary for the immediate preservation of the public**  
2        **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
3        **on its passage.**

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