

Enrolled Senate Bill 21

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Department of Human Services)

CHAPTER

AN ACT

Relating to long term care; and declaring an emergency.

Whereas older adults and persons with disabilities can live long and healthy lives; and

Whereas many of these Oregonians need assistance to live as independently as possible; and

Whereas Oregon’s long term care system has been a national leader in ensuring that seniors and persons with disabilities receive care that honors their independence, individual choices and dignity in a culturally and linguistically responsive manner; and

Whereas most Oregonians take today’s array of choices and the cost-effectiveness of long term care for granted, but many of the options are available only to Medicaid-eligible individuals; and

Whereas the aging of our society poses both challenges and opportunities; and

Whereas health system transformation is changing the landscape of the health care delivery system and the long term care system is changing to better coordinate health care, long term care and supports; and

Whereas the state has an obligation and an opportunity to engage in bold and innovative research and planning to meet the future demands and individual choices of seniors and persons with disabilities; now, therefore,

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

SECTION 1. (1) The Department of Human Services shall develop, in accordance with section 2 of this 2013 Act, a plan to improve and strengthen Oregon’s publicly funded long term care system. The plan must include all of the following:

(a) Strategies to serve seniors and persons with disabilities in their own homes and community settings of their own choosing. The strategies may include, but are not limited to, greater utilization of adult day centers and effective coordination with the health care system.

(b) Strategies designed to support independence and delay the entry of individuals into publicly funded long term care. The strategies may include, but are not limited to, short stay respite care, medication management and support for family caregivers.

(c) Strategies to serve individuals equitably in a culturally and linguistically responsive manner.

(2) In developing the strategies in subsection (1) of this section, the department shall gather data on the primary causes of entry into and the significant cost drivers associated

with publicly funded long term care, including data on any differences that exist due to age and the location where services are delivered.

SECTION 2. (1) The Department of Human Services shall convene a planning committee to assist the department in developing the plan described in section 1 of this 2013 Act. The planning committee must include:

- (a) Representatives of all key stakeholders, including:
 - (A) Consumers;
 - (B) Providers; and
 - (C) Consumer and provider groups that represent seniors and persons with physical disabilities;
- (b) Two members of the House of Representatives appointed by the Speaker of the House of Representatives; and
- (c) Two members of the Senate appointed by the President of the Senate.

(2) The department shall conduct public hearings in all regions of this state to receive public input in the development of the plan.

(3) The department shall report to the appropriate committees of the 2014 regular session of the Legislative Assembly:

- (a) The progress of the development of the plan; and
- (b) Opportunities for implementing changes for which there is broad stakeholder consensus.

(4) Not later than February 1, 2015, the department shall provide a final report, in the manner described in ORS 192.245, that identifies proposed changes, areas of consensus and challenges and a time line for the implementation of the plan in whole or in part.

SECTION 3. Sections 1 and 2 of this 2013 Act are repealed January 2, 2016.

SECTION 4. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by Senate June 24, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 26, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

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Kate Brown, Secretary of State