

A-Engrossed Senate Bill 21

Ordered by the Senate April 17
Including Senate Amendments dated April 17

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)

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.

Requires Department of Human Services to develop plan for **improving** long term care **system in Oregon**. Specifies *[requirements for development and implementation]* **required elements** of plan. **Requires department to convene committee to assist in development of plan and specifies membership of committee. Requires department to report plan to Legislative Assembly by February 1, 2015.**

Sunset January 2, *[2019]* **2016**.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to long term care; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

6 (2) In developing the strategies in subsection (1) of this section, the department shall
7 gather data on the primary causes of entry into and the significant cost drivers associated
8 with publicly funded long term care, including data on any differences that exist due to age
9 and the location where services are delivered.

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

13 (a) Representatives of all key stakeholders, including:

14 (A) Consumers;

15 (B) Providers; and

16 (C) Consumer and provider groups that represent seniors and persons with physical dis-
17 abilities;

18 (b) Two members of the House of Representatives appointed by the Speaker of the House
19 of Representatives; and

20 (c) Two members of the Senate appointed by the President of the Senate.

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

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

25 (a) The progress of the development of the plan; and

26 (b) Opportunities for implementing changes for which there is broad stakeholder con-
27 sensus.

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

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

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

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