



# Oregon

Kate Brown, Governor

**Department of Human Services**

*Aging and People with Disabilities*

500 Summer St. NE, E-02

Salem, OR 97301

Voice: 503-947-5476

Fax: 503-373-7823

April 6, 2017

Chair Keny-Guyer  
Vice-Chair Sanchez  
Vice-Chair Olson  
Members of the Committee  
House Committee on Human Services and Housing



Re: HB 3272, 3273, and 3359

Dear Chair Keny-Guyer:

Thank you for the opportunity to testify this morning on HB 3272, 3273, and 3359. The department is committed to the safety of vulnerable older adults and people with disabilities. Our goal is to work closely with providers to ensure that our collective system is of high quality and that Oregonians receiving long term services and supports needs are met and their rights are upheld.

While the department is neutral on this bill, I want to cover a few of the items that are likely to be part of the amended version.

- **Acuity Based Staffing Tool:** The agency shall update its acuity-based staffing tool to become a web-based portal for use by providers and the department.
- **Independent Licensure for Administrators:** Legislative Findings section states that administrators of residential care facilities, including assisted living and memory care, should be licensed by an independent board by July 2019 following a process to establish this new requirement.
- **Specially Packaged Medication:** Requires residential care facilities to fill medications using specially packaged medication administration systems including unit dose, blister packs or similar methodologies.
- **Immediate Suspension:** Revises process for immediately suspending the license of a residential care facility when there is a critical health, safety or welfare issue without waiting 10 days for a hearing.
- **Arbitration Clauses:** Requires disclosures for binding arbitration clauses in long term care contracts and prevents admission to a facility being contingent upon signing arbitration clause.
- **Sprinkler Systems:** Allows Adult Foster Homes to meet Fire, Life and Safety code for evacuation times when they have installed sprinkling systems.
- **Special License:** Allows the Department to license Residential Care Facilities for 6 or fewer individuals to serve individuals with co-occurring behavioral health needs.

*"Assisting People to Become Independent, Healthy and Safe"*

- **Conversion Facility License:** Allows the Department to create a “Conversion Facility” license for older nursing homes wishing to convert to community based care.
- **Interpretive Guidelines Manual:** Department completes an interpretive guidelines manual for residential care facilities (similar to CMS guide for nursing facilities).
- **Online Training Modules.** Department develops online training modules to address top issues identified in surveys or other licensing actions.

We sincerely appreciate the efforts of Representative McKeown, Representative Keny-Guyer and Speaker Kotek to improve quality in licensed long term care settings. We believe the ideas put forth will greatly improve long term services and supports for Oregon’s seniors and people with disabilities.

Thank you for your time today.

Sincerely,

Ashley Carson Cottingham, Director  
Aging and People with Disabilities Program  
Department of Human Services