

HB 2661 -8 STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

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Meeting Dates: 2/21, 3/16, 4/13, 4/18

WHAT THE MEASURE DOES:

Requires long term care providers to be certified annually by Health Licensing Office (HLO). Specifies professional requirements for long term care providers including client assessment standards, client and provider contracts, compliance with Health Insurance Portability and Accountability Act, completion of background check, disclosure laws, and continuing education. Requires HLO to adopt and regulate rules. Becomes operative January 1, 2018. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-8 Replaces the measure.

Requires referral agent (agent) to provide client with disclosure regarding description of referral, referral agent's contact information, private policy statement, provision of referrals to facilities contracted with agent and statement of whether the referral fees will be paid to agent by facility. Prohibits agent from sharing client's placement information, selling client's placement information, referring client to facility with an ownership interest and contacting a client after written notice to stop contact. Prohibits compensations from facility in connection with client after written request from client to terminate relationship with agent. Specifies an agent may not accept compensation from another facility in connection with the client upon receipt of written notice that client wishes to use a different agent. Requires agent to prohibit in contract with facility the collection of compensation from a facility if a new referral agent refers the same client to the same facility under specific circumstances. Applicable to contracts entered into on or after July 1, 2018.

Requires persons providing long term care referrals to register with Department of Human Services. Requires referral agents to be mandatory reports of elder abuse. Operative July 1, 2018.

Declares emergency, effective upon passage.

BACKGROUND:

The Health Licensing Office (HLO) oversees the licensing and regulation of health and health-related professions through conducting inspected of facilities, administering certifications, and responding to consumer complaints. Over 71,000 professionals are authorized through HLO to practice throughout Oregon.

House Bill 2661 requires long term care providers to be certified annually by the Health Licensing Office. The bill species the professional requirements for long term care providers. These requirements include client assessment standards, written contracts with clients and providers, compliance with the Health Insurance Portability and Accountability Act, completing of a background check, disclosure of provider compensation, and completion of continuing education. Additionally, House Bill 2661 requires HLO to adopt and regulate the rules for certification of long term care providers.