

800 NE Oregon Street, Suite 640
Portland, OR 97232
Voice: (971) 673-1222
Fax: (971) 673-1299
TTY: (971) 673-1222

February 15, 2017

TO: The Honorable Sara Gelser, Chair
Senate Committee on Human Services

FROM: Dana Selover, MD, MPH
Manager, Health Care Regulation and Quality Improvement
Public Health Division, Office of Community Health and Health Planning
Oregon Health Authority
(971) 673-0540

SUBJECT: SB 53 –Licensing fees for in-home care agencies and hospice providers

Chair Gelser and members of the committee; I am Dr. Dana Selover, Section Manager of the Health Care Regulation and Quality Improvement Section for the Center for Health Protection, Public Health Division, Oregon Health Authority (OHA). I am here today to testify about SB 53 which increases the licensing and renewal fees for in-home care agencies and hospice providers.

The Center for Health Protection the Health Care Regulation and Quality Improvement (HCRQI) section provides oversight of health care facilities and agencies through state licensure and federal certification. Among these regulated facilities are in-home care agencies and hospice agencies. SB 53 increases the licensure and renewal fees for these two health care providers in order to support the necessary regulation of these licensees and in doing so to protect their vulnerable clients.

Passage of this bill will allow for a more equitable division of fees among in-home care providers based on the complexity of services offered, and make fees for both in-home care agencies and hospices support the regulatory oversight that these programs require and Oregonians should expect. The fee increase would

allow the program to be self-supporting, rather than relying on state general funds to maintain the current service level in accordance with state requirements.

The licensure fees for in-home care agencies were set in 2007. Since then, our program together with stakeholders developed a license classification by the level of care provided. In-home care agencies are classified based on the type of service they provide including personal care services and medication reminding; medication assistance; medication administration; and nursing services. However, the current licensing fees do not differentiate by classification, thus agencies providing the most complex care pay the same fees as agencies providing the simplest care.

There are currently 150 licensed in-home care agencies. Each agency is surveyed prior to licensure and then at least once every three years thereafter. In addition, complaints are promptly investigated. Current fee levels no longer support the cost of the regular surveys and complaint investigations. If fees are not increased, the program will be unable to meet its statutory requirements, which will limit the program's ability to protect vulnerable individuals receiving in-home care services who use these services to meet daily needs of bathing, grooming, toileting, nutrition and feed, and medication reminding. With input from stakeholders, the fee increase was structured to reflect the levels of care provided by in-home care agencies with special recognition of the numerous start-up expenses that in-home care agencies frequently face.

Similarly, the annual fees for hospice licenses were set in 2009, and these fees no longer cover the program's operating costs for licensure and certification surveys, routine relicensure and recertification surveys, and complaint investigations. There are currently 61 licensed hospice agencies in Oregon compared to 53 licensed in 2009, and statutes require an on-site survey at least once every three years and prompt complaint investigations. An increase in fees would sustain the OHA's regulatory and oversight functions, which works to protect patients and their families during the final stages of life. Operating at the current fee level jeopardizes the OHA's ability to maintain the required time lines for inspection.

Thank you for the opportunity to testify. I'd be happy to answer any questions.