

Enrolled
Senate Bill 53

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CHAPTER

AN ACT

Relating to licensing fees paid to the Oregon Health Authority; amending ORS 443.315 and 443.860.

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

SECTION 1. ORS 443.315 is amended to read:

443.315. (1) A person may not establish, manage or operate an in-home care agency or purport to manage or operate an in-home care agency without obtaining a license from the Oregon Health Authority.

(2) The authority shall establish **classification** requirements and qualifications for licensure under this section by rule. The authority shall issue a license to an applicant that has the necessary qualifications and meets all requirements established by rule, including the payment of required fees. An in-home care agency shall be required to maintain administrative and professional oversight to ensure the quality of services provided.

(3) Application for a license required under subsection (1) of this section shall be made in the form and manner required by the authority by rule and shall be accompanied by any required fees.

(4) A license may be granted, or may be renewed annually, upon payment of a fee as follows:

(a) For the initial licensure of an in-home care agency **that is classified as:**

(A) Limited, the fee is \$2,000.

(B) Basic, the fee is \$2,250.

(C) Intermediate, the fee is \$2,500.

(D) Comprehensive, the fee is \$3,000.

(b) There is an additional fee of \$1,250 for the initial licensure of each subunit in any classification of in-home care agency.

(c) For the renewal of a license classified as:

(A) Limited or basic, the fee is \$1,000.

(B) Intermediate, the fee is \$1,250.

(C) Comprehensive, the fee is \$1,500.

(d) There is an additional fee of \$1,000 for the renewal of licensure for each subunit in any classification of in-home care agency.[.]

[(A) \$1,500; and]

[(B) An additional \$750 for each subunit.]

[(b) For renewal of a license:]

[(A) \$750; and]

[(B) An additional \$750 for each subunit.]

[(c)] (e) For a change of ownership at a time other than the annual renewal date:

(A) **The fee is \$350;** and

(B) **There is an additional fee of \$350** for each subunit.

(5) A license issued under this section is valid for one year. A license may be renewed by payment of the required renewal fee and by demonstration of compliance with requirements for renewal established by rule.

(6) A license issued under this section is not transferable.

(7) The authority shall conduct an on-site inspection of each in-home care agency prior to services being rendered and once every three years thereafter as a requirement for licensing.

(8) In lieu of the on-site inspection required by subsection (7) of this section, the authority may accept a certification or accreditation from a federal agency or an accrediting body approved by the authority that the state licensing standards have been met, if the in-home care agency:

(a) Notifies the authority to participate in any exit interview conducted by the federal agency or accrediting body; and

(b) Provides copies of all documentation concerning the certification or accreditation requested by the authority.

SECTION 2. ORS 443.860 is amended to read:

443.860. (1) A person may not establish, conduct or maintain a hospice program providing hospice services, or hold itself out to the public as a hospice program, without obtaining a license from the Oregon Health Authority.

(2) The authority:

(a) Shall adopt rules to carry out the provisions of ORS 443.850 to 443.869, including but not limited to rules for licensure that require an on-site inspection of each licensed hospice program at least once every three years.

(b) May accept certification by a federal agency or accreditation by an accrediting organization approved by the authority as evidence of compliance with the requirements for licensure adopted under paragraph (a) of this subsection if:

(A) The certification or accreditation meets standards and conditions established for hospice programs by the Centers for Medicare and Medicaid Services;

(B) The hospice program invites the authority to participate in any exit interview conducted by the agency or organization; and

(C) The hospice program provides the authority with copies of all documentation requested by the authority concerning the certification or accreditation.

(3) The fee to obtain or renew a hospice program license is [~~\$750~~] **\$1,140**.

(4) The authority shall prescribe by rule the form and manner for application for or renewal of a license. The authority shall issue a license to an applicant that has the necessary qualifications, meets all requirements established by the authority by rule and has paid the fee.

(5) A license issued under this section is valid for one year and is not transferable. A license may be renewed by payment of the fee and demonstration of compliance with requirements for renewal established by the authority by rule.

Passed by Senate June 19, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 26, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State