

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 4129

By JOINT COMMITTEE ON WAYS AND MEANS

March 1

- 1 On page 2 of the printed A-engrossed bill, delete lines 17 through 19.
- 2 In line 20, delete “(2)” and insert “(1)”.
- 3 In line 22, delete “(3)” and insert “(2)”.
- 4 On page 3, line 2, delete “the provisions of”.
- 5 In line 9, delete “the provisions of”.
- 6 In line 11, delete “the provisions of”.
- 7 In line 17, after “(b)” insert “Subject to rules adopted under paragraph (c) of this subsection,”.
- 8 In line 18, delete “the provisions”.
- 9 In line 19, delete “of”.
- 10 After line 19, insert:
- 11 “(c) The Department of Human Services shall adopt rules to allow a residential care facility to
- 12 be operated by an individual who is not a residential care facility administrator who holds an active
- 13 license under ORS 678.710 to 678.820 in transitional, emergency and similar situations.”.
- 14 On page 5, line 23, delete “the provisions of”.
- 15 On page 17, delete lines 14 through 26 and insert:
- 16 “**SECTION 28.** (1) Not later than July 1, 2019, an individual who is employed in Oregon as a
- 17 residential care facility administrator, as defined in ORS 678.710, or who is not employed as de-
- 18 scribed in this subsection but who otherwise meets the requirements of paragraphs (a) to (g) of this
- 19 subsection and who intends to seek employment as a residential care facility administrator before
- 20 the operative date specified in section 32 (2) of this 2018 Act, shall apply to the Health Licensing
- 21 Office on a form created by the office for a residential care facility administrator license. The office
- 22 may issue a license under this section to an applicant who:
- 23 “(a) Is at least 21 years of age;
- 24 “(b) Has earned at least a high school diploma or its equivalent;
- 25 “(c)(A) For at least two of the last five years has been employed in a professional or managerial
- 26 capacity in a field related to health or social service, or has a combination of experience and edu-
- 27 cation deemed sufficient by the office; or
- 28 “(B) Has earned at least a bachelor’s degree in a field related to health or social service;
- 29 “(d) Has completed at least 40 hours of training approved by the Department of Human Services
- 30 by rule;
- 31 “(e) Has met any applicable continuing education requirements established by the department
- 32 by rule for the lesser of the three years immediately preceding the date of application or the dura-
- 33 tion of employment or qualification in Oregon as a residential care facility administrator;
- 34 “(f) Is in good standing with the office, and has not been responsible for any residential care
- 35 facility that has been subject to conditions imposed by the department while the person was re-

1 responsible for the residential care facility, for the lesser of the four years immediately preceding the
2 date of application or the duration of employment or qualification in Oregon as a residential care
3 facility administrator; and

4 “(g) Pays the licensure fee established by the office by rule.”.

5 In line 30, delete “(1)(c) and (d)” and insert “(1)(e) and (f)”.

6 In line 34, delete “(1)(a) to (d)” and insert “(1)(e) and (f)”.

7 In line 44, delete the colon and insert “meet any requirements for continuing education estab-
8 lished by the office by rule.”.

9 Delete line 45.

10 On page 18, delete lines 1 through 3.

11 In line 16, delete “2020” and insert “2022”.

12 Delete lines 27 through 40 and insert:

13 **“SECTION 32. (1) Sections 2 to 4 and 12 of this 2018 Act and the amendments to ORS**
14 **401.651, 431A.850, 433.045, 441.057, 441.406, 676.108, 676.150, 676.350, 676.400, 676.565, 676.595,**
15 **676.850, 676.992, 678.710, 678.740, 678.770, 678.800, 678.810, 678.820 and 743B.454 by sections 5, 7**
16 **to 11 and 13 to 26 of this 2018 Act become operative on January 1, 2019.**

17 **“(2) The amendments to ORS 678.720 by section 6 of this 2018 Act become operative on**
18 **January 1, 2022.**

19 **“(3)(a) The Health Licensing Office and the Long Term Care Administrators Board may**
20 **take any action before the operative date specified in subsection (1) of this section that is**
21 **necessary to enable the office and the board to exercise, on and after the operative date**
22 **specified in subsection (1) of this section, all of the duties, functions and powers conferred**
23 **on the office and the board by sections 2 to 4 and 12 of this 2018 Act and the amendments**
24 **to ORS 401.651, 431A.850, 433.045, 441.057, 441.406, 676.108, 676.150, 676.350, 676.400, 676.565,**
25 **676.595, 676.850, 676.992, 678.710, 678.740, 678.770, 678.800, 678.810, 678.820 and 743B.454 by**
26 **sections 5, 7 to 11 and 13 to 26 of this 2018 Act.**

27 **“(b) The Department of Human Services may take any action before the operative date**
28 **specified in subsection (2) of this section that is necessary to enable the department to ex-**
29 **ercise, on and after the operative date specified in subsection (2) of this section, all of the**
30 **duties, functions and powers conferred on the department by the amendments to ORS 678.720**
31 **by section 6 of this 2018 Act.**

32 **“SECTION 33. The amendments to ORS 743B.454 by section 26 of this 2018 Act apply to**
33 **residential care facility administrators as defined in ORS 678.710 on and after January 1,**
34 **2022.”.**

35 In line 41, delete “33” and insert “34”.