

Requested by Representative MCKEOWN

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4129**

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)
8 of this subsection,”.

9 In line 18, delete “the provisions”.

10 In line 19, delete “of”.

11 After line 19, insert:

12 “(c) The Department of Human Services shall adopt rules to allow a res-
13 idential care facility to be operated by an individual who is not a residential
14 care facility administrator who holds an active license under ORS 678.710 to
15 678.820 in transitional, emergency and similar situations.”.

16 On page 5, line 23, delete “the provisions of”.

17 On page 17, delete lines 14 through 26 and insert:

18 **“SECTION 28.** (1) Not later than July 1, 2019, an individual who is em-
19 ployed in Oregon as a residential care facility administrator, as defined in
20 ORS 678.710, or who is not employed as described in this subsection but who
21 otherwise meets the requirements of paragraphs (a) to (g) of this subsection

1 and who intends to seek employment as a residential care facility adminis-
2 trator before the operative date specified in section 32 (2) of this 2018 Act,
3 shall apply to the Health Licensing Office on a form created by the office
4 for a residential care facility administrator license. The office may issue a
5 license under this section to an applicant who:

6 “(a) Is at least 21 years of age;

7 “(b) Has earned at least a high school diploma or its equivalent;

8 “(c)(A) For at least two of the last five years has been employed in a
9 professional or managerial capacity in a field related to health or social
10 service, or has a combination of experience and education deemed sufficient
11 by the office; or

12 “(B) Has earned at least a bachelor’s degree in a field related to health
13 or social service;

14 “(d) Has completed at least 40 hours of training approved by the Depart-
15 ment of Human Services by rule;

16 “(e) Has met any applicable continuing education requirements estab-
17 lished by the department by rule for the lesser of the three years immediately
18 preceding the date of application or the duration of employment or quali-
19 fication in Oregon as a residential care facility administrator;

20 “(f) Is in good standing with the office, and has not been responsible for
21 any residential care facility that has been subject to conditions imposed by
22 the department while the person was responsible for the residential care fa-
23 cility, for the lesser of the four years immediately preceding the date of ap-
24 plication or the duration of employment or qualification in Oregon as a
25 residential care facility administrator; and

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

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

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

29 In line 44, delete the colon and insert “meet any requirements for con-
30 tinuing education established by the office by rule.”.

1 Delete line 45.

2 On page 18, delete lines 1 through 3.

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

4 Delete lines 27 through 40 and insert:

5 **“SECTION 32. (1) Sections 2 to 4 and 12 of this 2018 Act and the**
6 **amendments to ORS 401.651, 431A.850, 433.045, 441.057, 441.406, 676.108,**
7 **676.150, 676.350, 676.400, 676.565, 676.595, 676.850, 676.992, 678.710, 678.740,**
8 **678.770, 678.800, 678.810, 678.820 and 743B.454 by sections 5, 7, 8 to 11 and**
9 **13 to 26 of this 2018 Act become operative on January 1, 2019.**

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

12 **“(3)(a) The Health Licensing Office and the Long Term Care Ad-**
13 **ministrators Board may take any action before the operative date**
14 **specified in subsection (1) of this section that is necessary to enable**
15 **the office and the board to exercise, on and after the operative date**
16 **specified in subsection (1) of this section, all of the duties, functions**
17 **and powers conferred on the office and the board by sections 2 to 4 and**
18 **12 of this 2018 Act and the amendments to ORS 401.651, 431A.850,**
19 **433.045, 441.057, 441.406, 676.108, 676.150, 676.350, 676.400, 676.565, 676.595,**
20 **676.850, 676.992, 678.710, 678.740, 678.770, 678.800, 678.810, 678.820 and**
21 **743B.454 by sections 5, 7, 8 to 11 and 13 to 26 of this 2018 Act.**

22 **“(b) The Department of Human Services may take any action before**
23 **the operative date specified in subsection (2) of this section that is**
24 **necessary to enable the department to exercise, on and after the op-**
25 **erative date specified in subsection (2) of this section, all of the duties,**
26 **functions and powers conferred on the department by the amendments**
27 **to ORS 678.720 by section 6 of this 2018 Act.**

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

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

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