

SB 669 -2 STAFF MEASURE SUMMARY

Senate Committee On Human Services

Prepared By: Jamie Hinsz, LPRO Analyst

Meeting Dates: 3/26, 4/9, 4/9

WHAT THE MEASURE DOES:

Prohibits individual licensed to manage or operate an in-home care agency from providing services outside the scope of the services authorized by the classification of license. Requires in-home inspections of in-home care agencies to be conducted annually and include inspections of records and interviews and observations with clients and caregivers. Prohibits Oregon Health Authority (OHA) from denying, revoking, or suspending licensing of agency under specified circumstances. Allows OHA to require materials or documentation under specified circumstances for purpose of issuing or renewing in-home care licenses and allows OHA issue probationary licenses for in-home care agencies for up to 90 days. Prohibits caregiver registries, home health agencies, and in-home care agencies from retaliation against a caregiver who makes a complaint or reports a violation as to the care or services provided by such entities. Expands rules required of OHA in administration of in-home care agencies to ensure each in-home care agency has liquid reserves equal to at least two months of operating expenses, each in-home caregiver receives required training, and is in compliance with specified laws. Allows hospitals to provide personal care services without maintaining an in-home care agency license if the hospital meets licensing requirements. Requires specified caregivers providing personal care services complete specified training unless the caregiver is licensed or certified by the Oregon State Board of Nursing. Includes definitions for "in-home caregiver", "personal care services", "private agency caregiver", and "retaliation".

ISSUES DISCUSSED:

- Provisions of measure
- Best practices and standards for training for in-home caregivers

EFFECT OF AMENDMENT:

-2 Requires in-home inspections of in-home care agencies to be conducted every two years. Removes requirement of OHA ensuring in-home care agencies has liquid reserves equal to at least two months of operating expenses, and modifies training requirement to ensure in-home care agencies receive training in alignment with accessibility, cultural competency, and minimum hours adopted by Department of Human Services (DHS). Authorizes OHA require individuals on caregiver registry complete training and directs OHA require training of personnel by rule. Modifies circumstances for requiring materials or documentation in issuing or renewing licenses. Removes proposed language prohibiting OHA from denying, revoking, or suspending licensing of agency under specified circumstances. Clarifies definition of "personal care services" to mean services provided in the individual's private home, and modifies definition of "in-home caregiver" to exclude service providers and developmental disability child foster homes. Adds effective date of January 1, 2021.

REVENUE: No revenue impact.

FISCAL: May have fiscal impact, but no statement yet issued.

BACKGROUND:

An in-home care agency provides services necessary to assist an individual in meeting their daily needs in their residence. In-home care agencies must obtain a license from the Oregon Health Authority (OHA) prior to providing in-home care services and licenses must be renewed annually. As part of the licensing and renewal process, OHA is required to conduct on-site inspections of each in-home care agency once every three years.

SB 669 -2 STAFF MEASURE SUMMARY

Senate Bill 669 prohibits individuals licensed to manage or operate in-home care agencies from providing services outside the scope of the services authorized by the classification of the license. The measure requires in-home inspections of in-home care agencies to be conducted annually and include inspections of records and interviews and observations with clients and caregivers. Senate Bill 669 also allows OHA to require specified materials or documentation for issuing or renewing in-home care licenses and allows OHA to issue probationary licenses for in-home care agencies for up to 90 days.