

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: SB 669

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Kim To
Reviewed by: Tom MacDonald, Laurie Byerly
Date: April 12, 2019

Measure Description:

Modifies requirements for licensing of in-home care agencies.

Government Unit(s) Affected:

Oregon Health Authority (OHA), Department of Human Services (DHS)

Analysis:

This fiscal impact statement is for the purpose of transmitting the measure from the Senate Committee Human Services to the Joint Committee on Ways and Means.

The measure:

- Stipulates that a person may not manage or operate an in-home care agency that provides services outside of the scope of the services authorized by the classification of an in-home care agency’s license.
- Specifies the Oregon Health Authority (OHA) onsite inspections of these facilities must include: (1) interviews with, and observations of, clients and in-home caregivers; and (2) inspection of records to verify compliance with certain licensing requirements including criminal background check requirements.
- Authorizes OHA to issue a probationary license, for up to 90 days, to an applicant who has been denied a license based on noncompliance to allow the applicant to come into compliance.
- Prohibits a caregiving agency from retaliating against a caregiver who makes a complaint or reports violations.
- Requires a caregiver providing personal care services in a private home through the Oregon Home Care Registry, in a home health agency, or in a health care facility to complete training that meets requirements for accessibility, cultural competency and minimum hours, unless the caregiver is licensed or certified by the Oregon State Board of Nursing.
- Prohibits OHA from denying, revoking, or suspending the license of an in-home care agency for certain violations if the agency has entered into a collective bargaining agreement.

OHA must adopt rules to require that an in-home care agency: (1) ensures that in-home caregivers receive current training; and (2) is in compliance with state and federal laws relating to insurance and fair labor practices as well as laws protecting older adults and people with disabilities from abuse and neglect. In addition, the measure provides that a hospital may provide personal care services without maintaining an in-home care agency license if the hospital meets certain requirements

The measure is anticipated to have an impact on the Oregon Health Authority and the Department of Human Services.

A more complete fiscal analysis on the measure will be prepared as the measure is considered in the Joint Committee on Ways and Means.

Further Analysis Required