

**Enrolled**  
**Senate Bill 815**

Sponsored by Senator GELSER

CHAPTER .....

AN ACT

Relating to information that must be provided by residential care facilities; creating new provisions; amending section 19, chapter 679, Oregon Laws 2017; and prescribing an effective date.

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

**SECTION 1.** Section 2 of this 2019 Act is added to and made a part of ORS 443.400 to 443.455.

**SECTION 2.** (1) A residential care facility, which includes an assisted living facility, shall provide, at a minimum, the following information to an individual or any person acting on behalf of the individual at the time the individual applies for admission to the residential care facility and upon request:

- (a) A summary explanation of the services provided by the facility;
- (b) A summary explanation of the types of care that the facility does not provide;
- (c) A statement that if the facility is not capable of meeting the resident's needs for care and services, the facility may require the resident to pursue other options, including by moving to another facility or care setting;
- (d) A statement that if a resident leaves the facility to receive acute medical, psychiatric, nursing facility or other care, before the resident may return to the facility, the facility will first evaluate whether the facility is capable of meeting the resident's care needs and, if not, the resident will not be permitted to return to the facility;
- (e) A statement of a resident's right to appeal if the facility requires the resident to leave the facility or does not permit the resident to return to the facility, as described in paragraphs (c) and (d) of this subsection; and
- (f) A statement of whether the facility will arrange for or otherwise coordinate hospice care for a resident upon request.

- (2) The information described in subsection (1) of this section must:
- (a) Be in writing;
  - (b) Be written in plain English;
  - (c) Be explained to the individual or the person acting on behalf of the individual in a manner the individual or person understands;
  - (d) Be provided separately from all other disclosure and residency agreement documents; and

(e) Require the signature of the individual or the person acting on behalf of the individual acknowledging that the individual or person understands the content and the implications of the information.

**SECTION 3.** Section 19, chapter 679, Oregon Laws 2017, is amended to read:

**Sec. 19.** (1) The Department of Human Services shall first publish the report described in [section 15 (1) of this 2017 Act] **ORS 443.446 (1)** no later than July 1, [2020] **2021**.

(2) A residential care facility shall first report quality metrics under [section 15 (2) of this 2017 Act] **ORS 443.446 (2)** no later than January 31, [2020] **2021**. A residential care facility may voluntarily report quality metrics before January 31, [2020] **2021**, once the reporting system is able to receive reports.

**SECTION 4. This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.**

**Passed by Senate June 10, 2019**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 18, 2019**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2019

**Approved:**

.....M.,....., 2019

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2019

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Bev Clarno, Secretary of State