

## HB 2327 -4 STAFF MEASURE SUMMARY

### House Committee On Health Care

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**Meeting Dates:** 3/10, 3/24, 3/29, 4/8

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#### WHAT THE MEASURE DOES:

Requires Department of Human Services to study and submit recommendations to increase access to long term care for Oregon residents no later than September 15, 2022.

#### ISSUES DISCUSSED:

- Impacts of COVID-19 on Oregon's long term care facilities and residents
- Long Term Emergency Preparedness and Response Team (Team)
- Proposed amendments
- Coordination between Oregon Health Authority and Department of Human Services during pandemic

#### EFFECT OF AMENDMENT:

-4 **Replaces the measure.** Defines terms. Requires Department of Human Services (DHS) in collaboration with Oregon Health Authority (OHA) to adopt rules creating requirements for long term care facilities to respond to public health emergencies. Specifies the following requirements: availability, use, and cleaning of personal protective equipment (PPE); screening residents for infectious diseases; evacuation plans; staff training; updating and publicly disseminating emergency and rapid response plan(s); accessibility of emergency plans including availability of plans in languages other than English if translation is available; study of best practices to reduce air pollutants and spread of infectious disease; isolation prevention plans that allow in-person contact if practicable. Specifies residents may not be required to engage in virtual contact or communication. Specifies protections for residents with a disability or cognitive limitations. Requires DHS to adopt in rule requirements that long term care providers acquire and maintain specified technological equipment, PPE, and a backup power source not installed or integrated into a facility's infrastructure. Requires DHS to provide funding to long term care providers to purchase specified equipment. Directs DHS to collaborate with state and local agencies to supply PPE during a public health emergency. Directs DHS to establish Long Term Care Emergency Preparedness and Response Team (Team) consisting of 16 members. Specifies membership and duties of Team. Requires DHS to develop or make available training for local public health authorities to understand unique needs of skilled nursing homes, intermediate care facilities, residential care facilities, and facilities with memory care endorsements. Allows DHS to conduct virtual inspections of a long term care facility during a public health emergency. Requires DHS, in collaboration with OHA, to develop uniform evidence-based practices and protocols to respond to disease outbreaks in facilities. Adds memory care facilities to list of residential facilities DHS is authorized to inspect.

*REVENUE: statement issued - no revenue impact.*

*FISCAL: fiscal impact issued -see analysis.*

#### BACKGROUND:

According to the United States Census Bureau, the population age 65 and over increased from 37.2 million in 2006 to 49.2 million in 2016 (a 33 percent increase) and is projected to almost double to 98 million in 2060. With the projected growth of the older population, the demand for long term care (LTC), including nursing homes and assisted living facilities, is expected to increase.

Long term care facilities provide care and assistance for individuals who need help with activities of daily living, medication, and personal care. The Department of Human Services (DHS) licenses long term care facilities . The

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*This summary has not been adopted or officially endorsed by action of the committee.*

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Oregon Health Authority manages the state's public health functions from disease prevention and control, to food safety and public health inspections. According to DHS, nursing, residential care, and memory care and assisting living facilities are at high risk for a COVID-19 outbreak due to serving vulnerable populations and their congregate nature. During the COVID-19 pandemic, 31,000 residents living in more than 680 facilities with approximately 29,000 staff were affected by federal and state guidance and executive orders restricting visitation among residents and family members in an effort to prevent additional infections.

House Bill 2327 requires Department of Human Services to study and submit recommendations to increase access to long term care for Oregon residents.