

A-Engrossed
House Bill 4012

Ordered by the House February 14
Including House Amendments dated February 14

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request House Interim Committee on Human Services for Representative Anna Williams)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Department of Human Services, **in collaboration with Oregon Health Authority and Oregon Youth Authority**, to review [*child welfare*] service provider rate [*structure*] **structures for child caring agencies** and submit report to interim committees of Legislative Assembly on or before February 28, 2023.

Directs Oregon Health Authority to conduct periodic nursing market rate study and to make annual adjustments to certain Medicaid reimbursement rates.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to children's services provider compensation; and prescribing an effective date.

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

4 **SECTION 1. Child caring agency service provider rate structure.** (1) **The Department of**
5 **Human Services, in collaboration with the Oregon Health Authority and the Oregon Youth**
6 **Authority, shall conduct a comprehensive review of service provider rate structures for child**
7 **caring agencies licensed by or contracted with the department, the Oregon Health Authority**
8 **or the Oregon Youth Authority.**

9 (2) **The department, in consultation with the Oregon Health Authority and the Oregon**
10 **Youth Authority, shall submit a report to the interim committees of the Legislative Assem-**
11 **bly related to human services, in the manner provided in ORS 192.245, no later than February**
12 **28, 2023. The report must include the findings from the review under subsection (1) of this**
13 **section and recommendations for updates to the rate structures that the department, the**
14 **Oregon Health Authority and the Oregon Youth Authority determine are necessary to pro-**
15 **mote long-term workforce sustainability.**

16 **SECTION 2. Reimbursement rates for private duty nursing for medically fragile children.**
17 (1) **At least once each biennium, the Oregon Health Authority shall conduct a nursing mar-**
18 **ket study for the purpose of determining the appropriate Medicaid reimbursement rates for**
19 **providers of private duty nursing for medically fragile children.**

20 (2) **No later than July 1 each year, the authority shall seek approval from the Centers**
21 **for Medicare and Medicaid Services to adjust the Medicaid reimbursement rates for providers**
22 **of private duty nursing for medically fragile children, taking into consideration the results**
23 **of the most recent study described in subsection (1) of this section and applying a cost-of-**
24 **living adjustment, as determined on an annual basis by the authority by rule.**

25 (3) **As used in this section:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) “Medically fragile children” means children who have a health impairment requiring
2 intensive, specialized services on a daily basis and who meet hospital level of care and the
3 clinical criteria as defined by the Department of Human Services and the authority by rule.

4 (b) “Private duty nursing” has the meaning given that term by the authority by rule.

5 SECTION 3. Medicaid reimbursement rate adjustments first due. The Oregon Health
6 Authority shall first seek the authority from the Centers for Medicare and Medicaid Services
7 to adjust the Medicaid reimbursement rates described in section 2 of this 2022 Act no later
8 than July 1, 2023, and every July 1 thereafter.

9 SECTION 4. Repeals. Sections 1 and 3 of this 2022 Act are repealed on January 2, 2024.

10 SECTION 5. Captions. The section captions used in this 2022 Act are provided only for
11 the convenience of the reader and do not become part of the statutory law of this state or
12 express any legislative intent in the enactment of this 2022 Act.

13 SECTION 6. Effective date. This 2022 Act takes effect on the 91st day after the date on
14 which the 2022 regular session of the Eighty-first Legislative Assembly adjourns sine die.
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