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

Relating to children’s services provider compensation; and prescribing an effective date.

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

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

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

SECTION 2. Reimbursement rates for private duty nursing for medically fragile children.

(1) At least once each biennium, the Oregon Health Authority shall conduct a nursing market study for the purpose of determining the appropriate Medicaid reimbursement rates for providers of private duty nursing for medically fragile children.

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

(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.

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(a) “Medically fragile children” means children who have a health impairment requiring
intensive, specialized services on a daily basis and who meet hospital level of care and the
clinical criteria as defined by the Department of Human Services and the authority by rule.
(b) “Private duty nursing” has the meaning given that term by the authority by rule.

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

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

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

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