



LPRO
LEGISLATIVE POLICY
AND RESEARCH OFFICE

Joint Task Force on Hospital Discharge Challenges

April 25, 2024

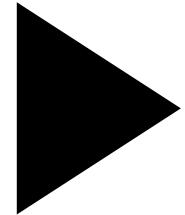
Meeting #7: Post-Acute Care Insights and Opportunities

Please have:
Camera on
Microphone unmuted

Roll Call

Connecting with the Public

- **Live stream:** Capitol viewing station and on OLIS Task Force website:
<https://olis.oregonlegislature.gov/liz/2023I1/Committees/JTFHDC/Overview>
 - Use the link to find materials and recordings
- **Public Comment**
 - Sign up on OLIS prior to meeting, or
 - Comment in writing:
 - JTFHDC.exhibits@oregonlegislature.gov
- **Language Access** (interpretation, translation, CART):
<https://www.oregonlegislature.gov/lpro/Pages/language-access.aspx>



Roadmap

LPRO Staff

Insights & Opportunities

April 25
9 am – 1 pm



ATI Advisory: Survey findings and policy opportunities

Break

Discussion: Insights and opportunities

Break

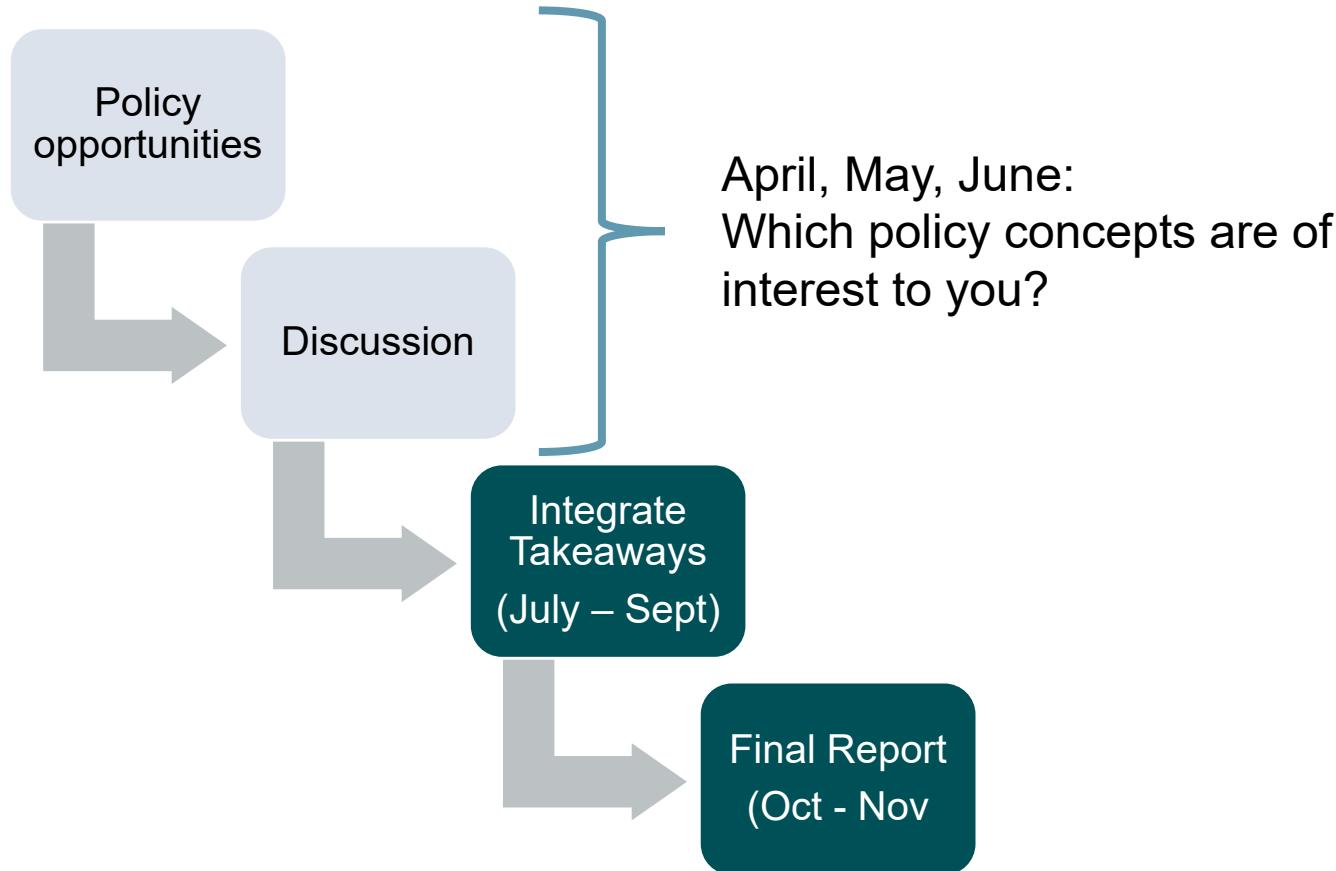
Following up: Background checks and post-acute workforce

Public Comment

Meeting	Topics and Tasks [tentative]
Today	<p>Focused Conversation: Post-acute care provider insights and policy opportunities</p> <ul style="list-style-type: none"> Provider survey and key informant interview findings, workforce analyses (ATI) Follow-up to member discussion of background checks, nursing and CNA licensure questions, and OLDC findings about nurse education and clinical placement
May 23	<p>Focused Conversation: Improving discharge planning, processes, and outcomes</p> <ul style="list-style-type: none"> Analysis of hospital discharge processes, case worker staffing, and outcomes (ATI) Discussion of concept for escalation protocol Scan of state and federal survey/investigation requirements (ODHS)
June 27	<p>Focused Conversation: Coverage and reimbursement for post-acute care</p> <ul style="list-style-type: none"> Preliminary findings from analysis of post-acute care payments (ATI and ODHS) LTSS presumptive eligibility, asset limit, and SNF concepts (ODHS, OHA, ATI) Alternative payment models, quality incentives, and options across payers (ATI)
July 30	<p>Focused Conversation: Integrate key takeaways from analyses and focused conversations</p> <ul style="list-style-type: none"> Revisiting innovative care models Discuss potential recommendations Provide direction to staff on next steps



Moving Toward Recommendations



Understanding and Addressing Key Oregon Provider and Workforce Capacity Challenges

ATI Advisory



BREAK



Insights & Opportunities

Discussion

Discussion

- Which of the policy concepts are most of interest to you?
- Are there findings from ATI's analyses that are especially relevant for any of the policy concepts?



BREAK



Background checks & post-acute workforce

Follow-up from March discussion

Responses to March 28 Task Force Discussion

Note: Slides contain general information gathered by LPRO from several sources to facilitate ongoing Task Force discussions. The information shared here is not intended as a formal report by any program or agency. LPRO has not verified data.

Sources include:

- Background Check Unit (BCU),
- Oregon State Board of Nursing (OSBN),
- Oregon Longitudinal Data Collaborative (OLDC), and
- New Hampshire Office of Professional Licensure and Certification (OPLC).

This document does not contain and is not intended to provide legal advice or formal interpretation of Oregon law, administrative rule, or legislative intent.



OHA/ODHS Background Check Unit

- In 2023, the BCU received a total of 224,241 applications
 - ~123,000 applications for long-term care “request types”
 - Of all applications, “roughly” 4% have a potentially disqualifying conviction (PDQ)
 - Monthly denials ranged from 1.00% to 1.58% of completed determinations
- Provisional employment prior to final determination
 - Federal directives, state laws, and licensing administrative rules determine if someone may work before a final fitness determination
 - May allow: Assisted living and residential care facilities, nursing facilities
 - Not allowed: homecare workers



OHA/ODHS Background Check Unit

- When a potentially disqualifying conviction or condition is present, the BCU denies a subject individual if it determines that, more likely than not, the subject poses a risk to the physical, emotional, or financial well-being of vulnerable individuals ([link](#))
- The BCU may only consider arrests, pending charges, or indictments without conviction for crimes listed in ORS [443.004](#)(3). If an arrest, pending charge, or indictment is not among those listed in ORS [443.004](#)(3), it is *not* considered potentially disqualifying or considered in the weighing test
- Regarding marijuana, both convictions and arrests related to possession, manufacture, and distribution are reviewed and considered in the weighting test.
 - Not considered if the charge is no longer a criminal offense



OHA/ODHS Background Check Unit

- In 2023, the BCU received 306 requests for appeal
 - Applications are screened and referred to an administrative law judge
 - 90 granted
 - 161 maintained denial
- The BCU does not have capacity to collect data about:
 - processing time
 - adverse determinations
 - race/ethnicity of applicant



Oregon State Board of Nursing

Student clinical placements coordination

- StudentMax Consortium already coordinates placements in PDX metro area
- OSBN would need resources to administratively manage a statewide system
- Need to consider how this will impact 1) existing school-hospital relationships, and 2) out-of-state programs that place students in Oregon

Expanding Student Placement Settings/Options

- **1:1 final practicums:** rules require 1:1 oversight for final practicum; could re-evaluate whether reasonable during a crisis
- **Faculty-student ratios:** Current rule is 8 students max per faculty; do not recommend changing ratio due to safety; could consider change to rule regarding faculty oversight between hospital floors
- **Placements in residential settings:** Rules allow community-based student rotations (adult foster homes, assisted living, residential care); community-based preceptors *do not* need to be physically on-site. Division 21 rules advisory committee plans to consider update to clarify that hours in these settings count toward student direct care experience requirements



Oregon State Board of Nursing

CNA application processing times

- <1% of CNA applicants required investigation. 3 of 31 were denied.
- processing times for CNA applications are half what they were a year ago due to changes making processes more efficient
- processing times are ~3x longer for CNA applications needing investigation
- no breakdowns available by race/ethnicity

Faculty compensation

- OSBN supports OLDC finding that faculty compensation needs attention.
- Washington's HB 2158 appropriated funds for nursing faculty and required public education contracts to consider (and try to match) industry salaries
- Consider partnerships where the school "buys" faculty hours from a clinical site; faculty preceptors are employed by the health care provider at industry wages. OHSU currently does this between School of Nursing and health system
- NCSBN recommends that nursing programs should have no less than 35% of faculty as full-time.



Oregon Longitudinal Data Collaborative

Context:

- OLDC links data across agencies to answer specific education-workforce questions
- Recommendations are not specific policy proposals; identify key issues and the partners who should be convened to address them
- Additional analyses would be at direction of HECC

Follow-up on 3/28 presentation:

- **Nurses who leave the profession:**
 - Can see how many left, but not why (including retirement)
 - If they are still in Oregon, can see what industry they went to (including those who leave industry for teaching)
 - Cannot tell how many retain vs. surrender a professional license after leaving (OSBN may be able to analyze this)
- **Faculty compensation:** OLDC does not have institutional bargaining or compensation package info. Consult HECC for this.
- **Gender:** Nursing is female-dominated profession; male and female students admitted to nursing programs at similar rates



New Hampshire

- 700+ pending nurse licensure applications due to stalled background checks
- [Executive Order 2021-12](#) directed Office of Professional Licensure & Certification to immediately identify ways to expedite background checks
- Board of Nursing passed emergency rule allowing applicants to begin working when fingerprint appointment is scheduled
- No official state data available
- Media reports at the time indicate 15% of pending applications were expected to be immediately approved due to emergency rule change¹



1. Bookman, T. "Nursing board streamlines licensing." Concord Monitor (NH), December 9, 2021: 4. NewsBank: America's News – Historical and Current. <https://infoweb-newsbank-com.slo.idm.oclc.org/apps/news/document-view?p=AMNEWS&docref=news/187657437034D5E8>.

Public Comment

