

SB 965 -2 STAFF MEASURE SUMMARY

Senate Committee On Health Care

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Meeting Dates: 3/15

WHAT THE MEASURE DOES:

Allows the Oregon Health Authority (OHA) to conduct on-site or off-site investigations after receiving a complaint from a hospital. Allows OHA to conduct on-site or off-site inspections of home health agencies and caregiver registries prior to licensure and an on-site inspection once every three years thereafter. Permits OHA to share information obtained in an investigation with specified public entities including the Department of Justice and the state licensing body.

Allows OHA to require fingerprints for individuals applying for or a renewing a hemodialysis technician certificate or under investigation by OHA for the purpose of a nationwide background check. Allows OHA to issue temporary or provisional certification to a hemodialysis technician during a state, local, or federal state of emergency. Allows OHA to issue a certificate by reciprocity for individuals licensed in another state, territory, or country.

Removes the requirement that outlines of instruction for courses for psilocybin service facilitators be submitted to the Department of Education. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Includes hospice programs among entities covered by OHA procedures for filing complaints. Changes the composition of the Oregon Public Health Advisory Board from 14 to 18, adding an expert in health equity, an individual who represents a community-based organization serving a rural community, an individual who represents a community-based organization serving an urban community, and an individual who represents the education system.

BACKGROUND:

Health Facility Licensing & Certification (HFLC) is responsible for processing complaints for certain types of health care facilities and agencies and is housed under the Oregon Health Authority (OHA). The complaint process includes filling out the complaint form, which is then reviewed against the applicable Oregon Administrative Rules and/or Code of Federal Regulations. The review determines whether there are potential violations and jurisdiction exists to take further action. A letter is then set to the complainant explaining what action they have the authority to take, which may include an unannounced, onsite investigation.

Hemodialysis technicians are certified individuals responsible for operating dialysis machines that act as artificial kidneys by removing waste from blood and removing excess fluids from the body for individuals with kidney failure or disease. OHA issues provisional certifications, provisional certification renewals, full certifications, and renewal certifications (link to [Hemodialysis Technician Certification](#)). The requirements for a full certification include completing the application, paying a fee, passing an exam, and submitting proof of high school or GED completion.

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Oregon Psilocybin Services (OPS) is a new program housed within the OHAPublic Health Division’s Center for Health Protection. The Oregon Psilocybin Services program implements Ballot Measure 109 (codified as ORS 475A), which was passed in November 2020 and directs the OHA to license and regulate the manufacturing, transportation, delivery, sale, and purchase of psilocybin products and the provision of psilocybin services. Oregon has specific requirements to become a licensed psilocybin services facilitator (link to [Licensed Facilitator Requirements Fact Sheet](#)). One of the requirements is completing a psilocybin facilitator training program with a curriculum approved by Oregon Psilocybin Services. The Oregon Psilocybin Services Act (ORS 475A) established that OHA will adopt minimum standards of education and training requirements for psilocybin service facilitators.

Senate bill 965 allows the Oregon Health Authority to conduct on-site or off-site investigations after receiving a complaint from a hospital, to conduct on-site or off-site inspections of home health agencies and caregiver registries prior to licensure, to require fingerprints for individuals applying for or a renewing a hemodialysis technician certificate or under investigation, and to issue temporary or provisional certification for a person to practice as a hemodialysis technician during a state, local or federal state of emergency, and removes the requirement for course curriculum for psilocybin service facilitators be submitted to the Department of Education.