

HB 2665 -3 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/15, 4/3

WHAT THE MEASURE DOES:

Directs Oregon Health Authority (OHA) to adopt rules to establish rates that temporary staffing agency may charge to or receive from entity that engages temporary staffing agency. Requires OHA to annually evaluate rates. Directs OHA to establish process to grant waiver of rate. Allows temporary staffing agency to charge emergency increased rate. Specifies emergency increased rate standards and parameters. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Role of temporary staffing agencies in addressing workforce shortages
- Cost containment measures for temporary staffing agencies adopted in Massachusetts and Minnesota
- SB 1549 (2022)
- Percentage of temporary staffing agency rates used on staff wages

EFFECT OF AMENDMENT:

-3 **Replaces the measure.** Requires Health Licensing Office (HLO) to establish process to receive and investigate complaints regarding temporary staffing agency. Authorizes HLO to impose civil penalties, or revoke, suspend, or impose conditions on authorization in specified circumstances. Clarifies definition of "personnel" for purposes of temporary staffing agency regulation. Requires temporary staffing agency to ensure personnel complete criminal records check; complete required training and continuing education; possess necessary skills, knowledge, and experience; and complies with applicable health requirements. Requires OHA to adopt rules establishing maximum rates temporary staffing agency may charge. Establishes criteria and factors for maximum rate development. Requires OHA to consult with temporary staffing agencies and specified providers in establishing maximum rates. Creates exemption from maximum rate for 25 or fewer personnel in single licensed care setting. Requires OHA to establish process for waiver and emergency waiver of maximum rate. Takes effect on 91st day following adjournment sine die.

FISCAL: *Fiscal impact issued*

REVENUE: *No revenue impact*

BACKGROUND:

The use of temporary staffing agencies in the health care sector has grown in recent years, particularly as hospitals, long term care facilities, and other health care industries have had to deal with the increased care demands brought on by the COVID-19 pandemic. Temporary health care staff can include travel nurses, per diem nurses, locum tenens physicians, and allied health care professionals (dietitians, medical technologists, occupational therapists, physical therapists, radiographers, respiratory therapists, and speech language pathologists).

House Bill 2665 would direct the Oregon Health Authority to adopt rules to establish temporary staff rates, including processes and standards for emergency increased rates and rate waivers.