

News Release



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House Bill Offers Comprehensive Approach to Improve Safety and Quality

During the 2017 session, the Oregon Legislature passed a number of measures that strengthen quality and safety in long-term care settings. The passage of House Bill 3359 (HB 3359) provides a comprehensive approach to improving safety and quality in licensed long-term care settings. The bill provides much-needed updates in many areas around oversight, penalties, quality and provision of care for individuals residing in licensed care facilities. A special emphasis was given to the improvement of training for those who care for people with Alzheimer's Disease and other forms of dementia.

With more than 1,000 Oregonians experiencing abuse in licensed long-term care settings in a year, the bill addresses a wide variety of areas. The following list offers a brief overview of some of the topics covered. It is only a summary and not a complete list.

Oregon HB 3359:

- Establishes that **administrators** of residential care facilities, including assisted living and memory care, **will be licensed by an independent board** by July 2019 following a process to establish this new requirement.
- **Updates amounts and caps**, set in the 1970s, **for civil monetary penalties** for elder or adult abuse and harm within licensed long-term care settings. For incidents categorized as serious harm, the fines were raised from a maximum of \$500 up to \$2500.
- **Adopts new penalties** for facilities, specifically a penalty for "Failure to report suspected abuse" and "Failure to perform corrective action noted during a survey or inspection."
- **Updates licensing fee amounts** for residential care/assisted living facilities and nursing facilities.
- **Gives the Department the ability to impose an immediate suspension in residential care facilities** when there is critical health, safety or welfare issue – without waiting 10 days for a hearing.

- Requires the Oregon Department of Human Services (Oregon DHS) to **develop an enhanced oversight and supervision program** for residential care facility oversight.
- Asks for the **development of a technology-based, acuity-based staffing tool** for use by providers and Oregon DHS, which allows providers to determine staffing patterns based on current residents' needs.
- Establishes a variety of **training and certification requirements for care staff** in long-term care facilities.
- **Adds new safety requirements, licensing options and establishes new quality metrics.**
- **Establishes the Quality Measurement Council** with representatives from the Office of the Long Term Care Ombudsman, Alzheimer's advocacy, elder rights advocate, academics with data/metrics expertise, member of Oregon Patient Safety Commission, provider association, and Oregon DHS.

The described changes and additions to existing statutes provide the legal framework to improve the quality of care and better ensure the safety and dignity of residents who reside in licensed long-term care settings. The bill is set to become law once signed by the Governor.

The main focus for the Oregon DHS Aging & People with Disabilities (APD) program is on the safety of the Oregonians we serve. APD Program Director Ashley Carson Cottingham said, "We are looking forward to working with providers and all other parties impacted by these changes to ensure high-quality care and protection for some of our most vulnerable citizens."

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