

D R A F T

SUMMARY

Digest: The Act increases the fees that certain health care entities must pay to get a license. (Flesch Readability Score: 74.2).

Increases licensing fees for in-home care agencies, caregiver registries, ambulatory surgical centers, outpatient renal dialysis facilities and nontransplant anatomical research recovery organizations.

A BILL FOR AN ACT

Relating to health care entity licensing fees; amending ORS 438.710, 441.020, 443.035 and 443.315.

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

SECTION 1. ORS 443.315 is amended to read:

443.315. (1) A person may not establish, manage or operate an in-home care agency or purport to manage or operate an in-home care agency without obtaining a license from the Oregon Health Authority.

(2) The authority shall establish classification requirements and qualifications for licensure under this section by rule. The authority shall issue a license to an applicant that has the necessary qualifications and meets all requirements established by rule, including the payment of required fees. An in-home care agency shall be required to maintain administrative and professional oversight to ensure the quality of services provided and that the training requirements established by the authority under ORS 443.011, if applicable, have been met by any individual employed by or contracting with the in-home care agency to provide in-home care services.

(3) Application for a license required under subsection (1) of this section shall be made in the form and manner required by the authority by rule and shall be accompanied by any

required fees.

(4) A license may be granted, or may be renewed annually, upon payment of a fee as follows:

(a) For the initial licensure of an in-home care agency that is classified as:

(A) Limited, the fee is [~~\$2,000~~] **\$6,000**.

(B) Basic, the fee is [~~\$2,250~~] **\$6,750**.

(C) Intermediate, the fee is [~~\$2,500~~] **\$7,500**.

(D) Comprehensive, the fee is [~~\$3,000~~] **\$9,000**.

(b) There is an additional fee of [~~\$1,250~~] **\$3,750** for the initial licensure of each subunit in any classification of in-home care agency.

(c) For the renewal of a license classified as:

(A) Limited or basic, the fee is [~~\$1,000~~] **\$2,500**.

(B) Intermediate, the fee is [~~\$1,250~~] **\$3,125**.

(C) Comprehensive, the fee is [~~\$1,500~~] **\$4,500**.

(d) There is an additional fee of [~~\$1,000~~] **\$3,000** for the renewal of licensure for each subunit in any classification of in-home care agency.

(e) For a change of ownership [*at a time other than the annual renewal date*]:

(A) The fee is [~~\$350~~] **\$1,050**; and

(B) There is an additional fee of [~~\$350~~] **\$1,050** for each subunit.

(5) A license issued under this section is valid for one year. A license may be renewed by payment of the required renewal fee and by demonstration of compliance with requirements for renewal established by rule.

(6) A license issued under this section is not transferable.

(7) The authority shall conduct an on-site inspection of each in-home care agency prior to services being rendered and once every two years thereafter as a requirement for licensing.

(8) In lieu of the on-site inspection required by subsection (7) of this section, the authority may accept a certification or accreditation from a federal agency or an accrediting body approved by the authority that the state licensing standards have been met, if the in-home care agency:

(a) Notifies the authority to participate in any exit interview conducted by the federal agency or accrediting body; and

(b) Provides copies of all documentation concerning the certification or accreditation requested by the authority.

SECTION 2. ORS 443.035 is amended to read:

443.035. (1) The Oregon Health Authority may grant a license to a home health agency or caregiver registry for a calendar year, may annually renew a license and may allow for a change of ownership, upon payment of a fee as follows:

(a) \$4,000 for a new home health agency license.

(b) \$2,125 for a renewal of a home health agency license.

(c) \$1,250 for a change of ownership of a home health agency at a time other than the annual renewal date.

(d)(A) [~~\$1,500~~] **\$9,750** for a new caregiver registry license; and

(B) [~~\$750~~] **\$4,875** for each subunit of a newly licensed caregiver registry.

(e)(A) [~~\$750~~] **\$9,750** for a renewal of a caregiver registry license; and

(B) [~~\$750~~] **\$4,875** for each subunit of a caregiver registry described in subparagraph (A) of this paragraph.

(f)(A) [~~\$350~~] **\$2,275** for a change of ownership of a caregiver registry [*at a time other than the annual renewal date*]; and

(B) [~~\$350~~] **\$2,275** for each subunit of a caregiver registry described in subparagraph (A) of this paragraph.

(2) Notwithstanding subsection (1)(c) [~~or (f)~~] of this section, the fee for a change in ownership **of a home health agency** shall be \$100 if a change in ownership does not involve:

(a) The majority owner or partner; or

(b) The administrator operating the agency or registry.

(3) All fees received pursuant to subsection (1) of this section shall be paid over to the State Treasurer and credited to the Public Health Account. Such moneys are appropriated continuously to the Oregon Health Authority for the administration of ORS 443.014 to 443.105.

SECTION 3. ORS 441.020 is amended to read:

441.020. (1) Licenses for health care facilities, except long term care facilities as defined in ORS 442.015, must be obtained from the Oregon Health Authority.

(2) Licenses for long term care facilities must be obtained from the Department of

1 Human Services.

2 (3) Applications shall be upon such forms and shall contain such information as the
3 authority or the department may reasonably require, which may include affirmative evi-
4 dence of ability to comply with such reasonable standards and rules as may lawfully be pre-
5 scribed under ORS 441.025.

6 (4)(a) Each application submitted to the Oregon Health Authority must be accompanied
7 by the license fee. If the license is denied, the fee shall be refunded to the applicant. If the li-
8 cense is issued, the fee shall be paid into the State Treasury to the credit of the Oregon Health
9 Authority Fund for the purpose of carrying out the functions of the Oregon Health Authority
10 under and enforcing ORS 441.015 to 441.119, 441.761 to 441.795 and 441.993; or

11 (b) Each application submitted to the Department of Human Services must be accompa-
12 nied by the application fee or the annual renewal fee, as applicable. If the license is denied,
13 the fee shall be refunded to the applicant. If the license is issued, the fee shall be paid into the
14 State Treasury to the credit of the Department of Human Services Account for the purpose of
15 carrying out the functions of the Department of Human Services under and enforcing ORS
16 431A.050 to 431A.080, 441.015 to 441.119 and 441.993.

17 (5) Except as otherwise provided in subsection (8) of this section, for hospitals with:

18 (a) Fewer than 26 beds, the annual license fee shall be \$5,000.

19 (b) Twenty-six beds or more but fewer than 50 beds, the annual license fee shall be \$7,400.

20 (c) Fifty or more beds but fewer than 100 beds, the annual license fee shall be \$13,800.

21 (d) One hundred beds or more but fewer than 200 beds, the annual license fee shall be
22 \$26,100.

23 (e) Two hundred or more beds, but fewer than 500 beds, the annual license fee shall be
24 \$34,000.

25 (f) Five hundred or more beds, the annual license fee shall be \$48,280.

26 (6) A hospital shall pay an annual fee of \$3,000 for each hospital satellite indorsed under
27 the hospital's license.

28 (7) The authority may charge a reduced hospital fee or hospital satellite fee if the author-
29 ity determines that charging the standard fee constitutes a significant financial burden to the
30 facility.

31 (8) For long term care facilities with:

(a) One to 15 beds, the application fee shall be \$2,000 and the annual renewal fee shall be \$1,000.

(b) Sixteen to 49 beds, the application fee shall be \$3,000 and the annual renewal fee shall be \$1,500.

(c) Fifty to 99 beds, the application fee shall be \$4,000 and the annual renewal fee shall be \$2,000.

(d) One hundred to 150 beds, the application fee shall be \$5,000 and the annual renewal fee shall be \$2,500.

(e) More than 150 beds, the application fee shall be \$6,000 and the annual renewal fee shall be \$3,000.

(9) For ambulatory surgical centers[, *the annual license fee shall be*] **with:**

(a) [*\$1,750 for certified and high complexity noncertified ambulatory surgical centers with more than two procedure rooms*] **Fewer than three procedure rooms, the annual license fee shall be \$4,375.**

(b) [*\$1,250 for certified and high complexity noncertified ambulatory surgical centers with no more than two procedure rooms*] **Three or four procedure rooms, the annual license fee shall be \$7,000.**

(c) [*\$1,000 for moderate complexity noncertified ambulatory surgical centers*] **Five or more procedure rooms, the annual license fee shall be \$7,875.**

(10) For birthing centers, the annual license fee shall be \$750.

(11) For outpatient renal dialysis facilities[, *the annual license fee shall be \$2,000.*] **with:**

(a) Fewer than 12 patient stations, the annual license fee shall be \$6,000.

(b) Twelve to 20 patient stations, the annual license fee shall be \$7,000.

(c) Twenty-one or more patient stations, the annual license fee shall be \$8,000.

(12) The authority shall prescribe by rule the fee for licensing an extended stay center, not to exceed:

(a) An application fee of \$25,000; and

(b) An annual renewal fee of \$5,000.

(13) The authority may assess a late fee not to exceed \$1,250 for a hospital that fails to pay a renewal license fee required under this section. The late fee shall be added to the required renewal license fee and must be paid by the health care facility before the authority

1 may renew the license.

2 (14) During the time the licenses remain in force, holders are not required to pay inspection fees to any county, city or other municipality.

4 (15) Any health care facility license may be indorsed to permit operation at more than one location. If so, the applicable license fee shall be the sum of the license fees that would be applicable if each location were separately licensed. The authority may include hospital satellites on a hospital's license in accordance with rules adopted by the authority.

8 (16) Licenses for health maintenance organizations shall be obtained from the Director of the Department of Consumer and Business Services pursuant to ORS 731.072.

10 (17) Notwithstanding subsection (4) of this section, all moneys received for approved applications pursuant to subsection (8) of this section shall be deposited in the Quality Care Fund established in ORS 443.001.

13 (18) As used in this section:

14 (a) "Hospital satellite" has the meaning prescribed by the authority by rule.

15 (b) "Procedure room" means a room where surgery or invasive procedures are performed.

16 **SECTION 4.** ORS 441.020, as amended by section 42, chapter 32, Oregon Laws 2024, and section 2, chapter 623, Oregon Laws 2025, is amended to read:

18 441.020. (1) Licenses for health care facilities, except long term care facilities as defined in ORS 442.015, must be obtained from the Oregon Health Authority.

20 (2) Licenses for long term care facilities must be obtained from the Department of Human Services.

22 (3) Applications shall be upon such forms and shall contain such information as the authority or the department may reasonably require, which may include affirmative evidence of ability to comply with such reasonable standards and rules as may lawfully be prescribed under ORS 441.025.

26 (4)(a) Each application submitted to the Oregon Health Authority must be accompanied by the license fee. If the license is denied, the fee shall be refunded to the applicant. If the license is issued, the fee shall be paid into the State Treasury to the credit of the Oregon Health Authority Fund for the purpose of carrying out the functions of the Oregon Health Authority under and enforcing ORS 441.015 to 441.119, 441.761 to 441.795 and 441.993; or

31 (b) Each application submitted to the Department of Human Services must be

1 accompanied by the application fee or the annual renewal fee, as applicable. If the license is
2 denied, the fee shall be refunded to the applicant. If the license is issued, the fee shall be paid
3 into the State Treasury to the credit of the Department of Human Services Account for the
4 purpose of carrying out the functions of the Department of Human Services under and en-
5 forcing ORS 441.015 to 441.119 and 441.993.

6 (5) Except as otherwise provided in subsection (8) of this section, for hospitals with:

7 (a) Fewer than 26 beds, the annual license fee shall be \$5,000.

8 (b) Twenty-six beds or more but fewer than 50 beds, the annual license fee shall be \$7,400.

9 (c) Fifty or more beds but fewer than 100 beds, the annual license fee shall be \$13,800.

10 (d) One hundred beds or more but fewer than 200 beds, the annual license fee shall be
11 \$26,100.

12 (e) Two hundred or more beds, but fewer than 500 beds, the annual license fee shall be
13 \$34,000.

14 (f) Five hundred or more beds, the annual license fee shall be \$48,280.

15 (6) A hospital shall pay an annual fee of \$3,000 for each hospital satellite indorsed under
16 the hospital's license.

17 (7) The authority may charge a reduced hospital fee or hospital satellite fee if the author-
18 ity determines that charging the standard fee constitutes a significant financial burden to the
19 facility.

20 (8) For long term care facilities with:

21 (a) One to 15 beds, the application fee shall be \$2,000 and the annual renewal fee shall be
22 \$1,000.

23 (b) Sixteen to 49 beds, the application fee shall be \$3,000 and the annual renewal fee shall
24 be \$1,500.

25 (c) Fifty to 99 beds, the application fee shall be \$4,000 and the annual renewal fee shall be
26 \$2,000.

27 (d) One hundred to 150 beds, the application fee shall be \$5,000 and the annual renewal
28 fee shall be \$2,500.

29 (e) More than 150 beds, the application fee shall be \$6,000 and the annual renewal fee
30 shall be \$3,000.

31 (9) For ambulatory surgical centers[, *the annual license fee shall be*] **with:**

(a) [*\$1,750 for certified and high complexity noncertified ambulatory surgical centers with more than two procedure rooms*] **Fewer than three procedures rooms, the annual license fee shall be \$4,375.**

(b) [*\$1,250 for certified and high complexity noncertified ambulatory surgical centers with no more than two procedure rooms*] **Three or four procedure rooms, the annual license fee shall be \$7,000.**

(c) [*\$1,000 for moderate complexity noncertified ambulatory surgical centers*] **Five or more procedure rooms, the annual license fee shall be \$7,875.**

(10) For birthing centers, the annual license fee shall be \$750.

(11) For outpatient renal dialysis facilities[, *the annual license fee shall be \$2,000.*] **with:**

(a) Fewer than 12 patient stations, the annual license fee shall be \$6,000.

(b) Twelve to 20 patient stations, the annual license fee shall be \$7,000.

(c) Twenty-one or more patient stations, the annual license fee shall be \$8,000.

(12) The authority shall prescribe by rule the fee for licensing an extended stay center, not to exceed:

(a) An application fee of \$25,000; and

(b) An annual renewal fee of \$5,000.

(13) The authority may assess a late fee not to exceed \$1,250 for a hospital that fails to pay a renewal license fee required under this section. The late fee shall be added to the required renewal license fee and must be paid by the health care facility before the authority may renew the license.

(14) During the time the licenses remain in force, holders are not required to pay inspection fees to any county, city or other municipality.

(15) Any health care facility license may be indorsed to permit operation at more than one location. If so, the applicable license fee shall be the sum of the license fees that would be applicable if each location were separately licensed. The authority may include hospital satellites on a hospital's license in accordance with rules adopted by the authority.

(16) Licenses for health maintenance organizations shall be obtained from the Director of the Department of Consumer and Business Services pursuant to ORS 731.072.

(17) Notwithstanding subsection (4) of this section, all moneys received for approved applications pursuant to subsection (8) of this section shall be deposited in the Quality Care

1 Fund established in ORS 443.001.

2 (18) As used in this section:

3 (a) “Hospital satellite” has the meaning prescribed by the authority by rule.

4 (b) “Procedure room” means a room where surgery or invasive procedures are performed.

5 **SECTION 5.** ORS 438.710 is amended to read:

6 438.710. (1) A person may not act as a nontransplant anatomical research recovery orga-
7 nization unless the person is licensed as a nontransplant anatomical research recovery orga-
8 nization by the Oregon Health Authority.

9 (2) The authority shall adopt rules establishing an application process and fees for ob-
10 taining and renewing a nontransplant anatomical research recovery organization license.
11 The fee for obtaining or renewing a license under this subsection may not exceed [~~\$1,750~~]
12 **\$9,625.**

13 (3) A license issued or renewed under this section expires two years after the date of is-
14 suance or renewal.

15 (4) The license required by this section is in addition to and not in lieu of any other li-
16 cense required by law.

17 (5) The authority shall deposit fees collected under this section into the Oregon Health
18 Authority Fund established in ORS 413.101. Moneys deposited in the fund under this subsec-
19 tion are continuously appropriated to the authority for the purposes of carrying out the du-
20 ties, functions and powers of the authority under ORS 438.705 to 438.720 and 438.994.
