

Frequently Asked Questions (FAQ)

HB 2665: Maximum Rate Setting for Temporary Healthcare Staff

1. Overview of House Bill 2665

Q1: What is House Bill 2665?

A: House Bill (HB) 2665 directs the Oregon Health Authority (OHA) to adopt rules and set maximum rates for temporary healthcare staff providing direct care within hospitals and facilities by January 1, 2025.

[Read more about HB 2665 here](#)

Q2: Who does HB 2665 impact?

A: Within **Facilities** as described in ORS 443.305, 443.886, or 443.400 or a Skilled Nursing Facility described in 442.015 categories of personnel impacted are:

- Registered nurse,
- Licensed practical nurse,
- Certified medical assistant,
- Certified nursing assistant, and
- Direct caregiver who provides health care services or assistance with activities of daily living to clients, residents, or patients.

Within **Hospitals** as defined in ORS 442.015 personnel impacted are a registered nurse or certified nursing assistant providing health care services to patients.

Excludes: APRNs & Nurse Managers

2. Rate Setting Process

Q3: What is the process for setting maximum rates?

A: OHA establishes maximum rates based on feedback from temporary staffing agencies, various data collection (BLS and partner data), and environmental scans. The process includes:

1. Establishing base wages from BLS data.
2. Applying regional adjustments.
3. Including compensation alignment factors to reflect differences between permanent and temporary staff wages.
4. Setting an agency margin cap of 34.2%.

[Learn more about the Rate Setting Process here](#)

3. Specific Rates and Calculations

Q4: What are the 2025 maximum rates for different healthcare roles?

Personnel Type	Maximum Bill Rate	Holiday & Overtime Rate
RN (Hospital)	\$131.95/hour	\$197.93/hour
RN (Other Facilities)	\$117.49/hour	\$176.24/hour
LPN/LVN	\$70.32/hour	\$105.48/hour
CNA	\$42.23/hour	\$63.35/hour
CMA	\$47.06/hour	\$70.59/hour
Direct Caregiver	\$36.28/hour	\$54.42/hour

[Find the full rate table here](#)

Q5: How are holiday and overtime rates calculated?

A: Holiday and overtime rates are calculated as 150% of the non-holiday maximum rate, ensuring fair compensation for extended working hours.

4. Waivers, Complaints, and Investigations

Q6: Who can apply for rate waivers?

A: Impacted Facilities, Hospitals, and Temporary Staffing Agencies can all apply for rate exceptions through a waiver process designed by OHA. Specific conditions for waivers will be outlined in the rule-making process.

Q7: What is the complaint and investigation process?

A: OHA will handle complaints related to maximum rates through its Health Licensing Office (HLO), which will investigate violations and determine the appropriate response. The specific actions will be based on the nature of the violation.

5. Exceptions to Maximum Rates

Q8: Are there exceptions to the maximum rate requirements for hospitals with fewer temporary staff?

A: Yes, HB 2665 provides an exception under OAR 409-039-0020, allowing hospitals to exceed the maximum rates when a temporary staffing agency supplies **25 or fewer personnel** in a single licensed care setting. This exception applies:

- **Per licensed facility,** and
- **Per work order or contract.**

This means that temporary staffing agencies engaged by a hospital to provide 25 or fewer personnel may charge rates above the set maximum for each single licensed care setting. The exception does not apply to Indian Health Care Providers or Indian Health Programs.

6. Future Adjustments and Observations

Q9: Will the maximum rates change in the future?

A: OHA will review the maximum rates annually. Adjustments will depend on healthcare staffing market trends, cost data, and economic conditions at the time of the review.

7. Additional Considerations

Q10: What flexibility do staffing agencies and facilities have in negotiating rates?

A: While the maximum rates serve as a ceiling, TSAs and healthcare facilities have the flexibility to negotiate rates below the maximum rate cap based on specific needs and contract conditions.

Q11: How will reporting from Year 1 impact future rates?

A: Reporting requirements in Year 1 will provide data for OHA to inform adjustments and ensure the rates are functioning as intended in real-world applications.

