



Health Facility Licensing and Certification

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To: Oregon In-home care agencies

From: Health Facility Licensing and Certification (HFLC)
In-home care agency (IHCA) program

RE: **In-home care agency subunits**

The purpose of this memo is to address subunit requirements for in-home care agencies (IHCA).

Oregon state law defines a “subunit” of an IHCA as “an in-home care agency that provides services for a parent agency in a geographic area different from that of the parent agency and more than 60 miles from the location of the parent agency.” ORS 443.305(3).

This definition is significant for the following reasons:

- An IHCA that meets the definition of a “subunit” must obtain its own IHCA license.
- The geographic service areas of a parent agency and a subunit may not overlap.
- An IHCA parent agency or a subunit’s geographic service area may not exceed its 60-mile radius.

The Oregon Health Authority (OHA) has broad rulemaking authority with regard to IHCAs and it has adopted specific rules regarding the requirements for subunits:

- A subunit must have its own staff, separate from the parent agency staff, and must operate independently of the parent agency. OAR 333-536-0050(4)(a). A subunit may not share staff, including an Agency Administrator, with the parent agency.
- The subunit must independently meet all licensing requirements, be separately licensed from the parent agency, and pay a separate licensure fee. OAR 333-536-0050(4)(b).

In the context of the rules governing subunits, operating independently means that the following activities must be done by subunits for the subunit's clients and staff:

- Billing
- Scheduling
- Human resources
- Training

In addition, if the agency maintains hard copies of client or employee files, the hard copies must be kept at the location associated with that client. Parent agencies and subunits may share templates for client and employee files, training, and policies and procedures, but implementation of these shared materials must be done independently at each parent agency or subunit location.

If you have any questions please email the IHC survey team at mailbox.hclc@state.or.us.