

**A-Engrossed  
House Bill 4108**

Ordered by the House February 10  
Including House Amendments dated February 10

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Oregon Health Authority to contract with [*community-based*] **nonprofit** organizations to operate pilot project to provide used durable medical equipment to medical assistance recipients. Appropriates moneys to Oregon Health Authority for grants to [*community-based*] **nonprofit** organizations operating pilot project.

Sunsets pilot project [*January 2*] **April 20**, 2018.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to durable medical equipment; appropriating money; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Coordinated care organization" has the meaning given that term in ORS 414.025.**

6 (b) **"Durable medical equipment" means equipment that is primarily and customarily  
7 used for a medical purpose, can withstand repeated use and is appropriate for use in the  
8 home.**

9 (c) **"Equipment" means durable medical equipment that was donated by an individual or  
10 organization.**

11 (d) **"Medical assistance" has the meaning given that term in ORS 414.025.**

12 (2) **The Oregon Health Authority shall contract with one or more nonprofit organizations  
13 to operate a pilot project to test whether the authority and coordinated care organizations  
14 can achieve good outcomes for individuals who receive medical assistance by reusing durable  
15 medical equipment in a safe, functionally appropriate and cost-effective manner. The pilot  
16 project does not supplant the durable medical equipment coverage provided by the medical  
17 assistance program. The pilot project shall serve recipients of medical assistance who reside  
18 in Washington, Multnomah, Clackamas, Umatilla, Marion and Polk Counties. The pilot  
19 project may be expanded as the authority deems appropriate.**

20 (3) **The pilot project must have all of the following elements:**

21 (a) **The capacity to receive, store and transport used equipment.**

22 (b) **A web-based, searchable and regularly updated inventory of the equipment that is  
23 available for reuse.**

24 (c) **A strategy to facilitate sufficient and appropriate equipment donations.**

25 (d) **Procedures, adopted by the authority by rule, to ensure that:**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (A) Reused equipment is safe and functionally appropriate;

2 (B) Reused equipment is properly cleaned, sanitized, repaired, refurbished and reconfig-  
3 ured;

4 (C) There is a streamlined and user-friendly process for requesting equipment, processing  
5 the requests, checking the status of requests and maintaining records of requests and dis-  
6 tributions of equipment;

7 (D) The nonprofit organizations properly dispose of equipment or salvage parts from  
8 equipment if the equipment is unsuitable for reuse; and

9 (E) Assistive technology professionals or other appropriately licensed or certified pro-  
10 viders, acting in accordance with quality standards adopted by the authority, have the re-  
11 sponsibility to:

12 (i) Assess each individual's needs for equipment, consult with and advise the individual  
13 and the individual's care provider in the selection of equipment and continue to be available  
14 after the delivery of reused equipment to provide timely support, repairs and adjustments;  
15 and

16 (ii) Inspect, adjust, refurbish and fit the reused equipment.

17 (e) Limits of liability comparable to other providers of services to medical assistance re-  
18 cipients.

19 (4) The authority shall develop and collect data, including feedback from coordinated care  
20 organizations, consumers and health care providers, and analyze the data to assess the suc-  
21 cess of the pilot project and report the results of the assessment to the Seventy-eighth  
22 Legislative Assembly no later than February 1, 2016. The authority shall continue to report  
23 annually to the Legislative Assembly until the end of the pilot project.

24 (5) The authority shall reimburse the nonprofit organizations operating the pilot project,  
25 on a fee-for-service basis, for the costs of providing, delivering and servicing each item of  
26 equipment provided to individuals eligible for medical assistance who are not members of  
27 coordinated care organizations. The authority shall adopt the reimbursement rates by rule.

28 (6) The authority shall take all actions necessary to implement the pilot project no later  
29 than October 1, 2014.

30 (7) The authority may apply for and receive gifts or grants from any public or private  
31 source for the purpose of carrying out this section.

32 **SECTION 2.** There is appropriated to the Oregon Health Authority, for the biennium be-  
33 ginning July 1, 2013, out of the General Fund, the amount of \$75,000 for providing grants to  
34 nonprofit organizations operating the pilot project described in section 1 of this 2014 Act.

35 **SECTION 3.** Section 1 of this 2014 Act is repealed April 20, 2018.

36 **SECTION 4.** This 2014 Act being necessary for the immediate preservation of the public  
37 peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect  
38 on its passage.

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