

Requested by Representative MCKEOWN

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4129**

1 On page 1 of the printed bill, line 2, delete “192.566,”.

2 In line 12, delete “shall” and insert “may”.

3 Delete lines 20 through 28 and insert:

4 “(5) Has not been convicted of a crime described in ORS 443.004;

5 “(6) Pays a licensure fee; and

6 “(7) Passes an examination described in section 3 of this 2018 Act.

7 **“SECTION 3. (1) The Long Term Care Administrators Board shall:**

8 **“(a) Approve at least one examination for licensure as a residential**  
9 **care facility administrator;**

10 **“(b) Ensure that the examinations are available to applicants at**  
11 **multiple times throughout the year; and**

12 **“(c) Ensure that at least one examination approved by the board is**  
13 **available to be taken online.**

14 **“(2) An applicant for licensure under section 2 of this 2018 Act shall**  
15 **pay an examination or reexamination fee established by the Health**  
16 **Licensing Office under ORS 676.576.**

17 **“(3) The board shall adopt rules to:**

18 **“(a) Determine the subjects, scope and content of the examinations;**

19 **“(b) Ensure the examinations are specific to Oregon law, adminis-**  
20 **trative rules and best practices; and**

21 **“(c) Determine a passing score for each examination approved by**

1 **the board.”.**

2 On page 2, delete lines 1 and 2.

3 On page 3, line 40, after “care” insert “or care for persons with disabili-  
4 ties”.

5 On page 5, after line 28, insert:

6 **“SECTION 12. The Long Term Care Administrators Board may not**  
7 **carry out a disciplinary action against an individual who holds a li-**  
8 **cence under ORS 678.710 to 678.820 unless at least one board member**  
9 **who represents the type of license held by the individual attends all**  
10 **meetings related to the disciplinary action.”.**

11 Delete lines 32 through 45.

12 Delete pages 6 and 7.

13 On page 8, delete lines 1 through 38.

14 On page 19, delete lines 41 through 45 and delete page 20 insert:

15 **“SECTION 27. (1) Not later than January 1, 2019, the Health Li-**  
16 **censing Office and the Long Term Care Administrators Board shall**  
17 **ensure that the members of the board meet the membership require-**  
18 **ments established in ORS 678.800, as amended by section 9 of this 2018**  
19 **Act.**

20 **“(2) Not later than December 31, 2019, the board shall approve the**  
21 **examinations for licensure as a residential care facility administrator**  
22 **described in section 3 of this 2018 Act.**

23 **“SECTION 28. (1) Not later than July 1, 2019, an individual who is**  
24 **employed in Oregon as a residential care facility administrator, as**  
25 **defined in ORS 678.710, shall apply to the Health Licensing Office on**  
26 **a form created by the office for a residential care facility administra-**  
27 **tor license. The office may issue a license under this section to an**  
28 **applicant who:**

29 **“(a) Is at least 21 years of age;**

30 **“(b) Has earned at least a high school diploma or its equivalent;**

1       “(c) Has been employed in Oregon as a residential care facility ad-  
2 ministrator for the four years immediately preceding the date of ap-  
3 plication;

4       “(d) Has met the requirements for training and continuing educa-  
5 tion established by the office by rule for the three years immediately  
6 preceding the date of application;

7       “(e) Is in good standing with the office, and any residential care  
8 facility for which the person has been responsible has not been subject  
9 to conditions imposed by the Department of Human Services while the  
10 person was responsible for the residential care facility;

11       “(f) Has not been convicted of a crime described in ORS 443.004; and

12       “(g) Pays the licensure fee established by the office by rule.

13       “(2) The office may issue a provisional residential care facility ad-  
14 ministrator license to an individual who applies for licensure under  
15 this section and who is employed in Oregon as a residential care fa-  
16 cility administrator but who does not meet all the requirements of  
17 subsection (1)(c) to (e) of this section. An individual described in this  
18 subsection must earn a passing score on an examination described in  
19 section 3 of this 2018 Act on or before December 31, 2021.

20       “(3) The office may issue a provisional residential care facility ad-  
21 ministrator license to an individual who is not employed in Oregon as  
22 a residential care facility administrator but who meets the require-  
23 ments of section 2 (1) to (5) of this 2018 Act. An individual described  
24 in this subsection must earn a passing score on an examination de-  
25 scribed in section 3 of this 2018 Act on or before December 31, 2021.

26       “(4) An individual who applies for a provisional license under sub-  
27 section (2) or (3) of this section must pay the provisional licensure fee  
28 established by the office by rule.

29       “(5) An individual issued a license or a provisional license under  
30 this section shall:

1       “(a) Submit to the office sufficient proof that the individual has  
2 completed a tuberculosis screening with a satisfactory result; and

3       “(b) Meet the requirements for training and continuing education  
4 established by the office by rule.

5       “(6) A provisional residential care facility administrator license is-  
6 sued under this section is not renewable and expires on the earlier of  
7 December 31, 2021, or the date upon which the holder is issued a li-  
8 cense under section 2 of this 2018 Act.

9       “(7) Licenses and provisional licenses issued under this section are  
10 subject to the provisions of ORS 678.790.

11       “(8) Moneys collected under this section shall be paid into the  
12 General Fund and credited to the Health Licensing Office Account es-  
13 tablished under ORS 676.625.

14       “(9) The office may adopt rules to carry out the requirements of  
15 this section, and may consult with the department in establishing any  
16 standards under this section.

17       “**SECTION 29.** (1) Section 27 of this 2018 Act is repealed on January  
18 2, 2020.

19       “(2) Section 28 of this 2018 Act is repealed on January 2, 2022.  
20

21   “CAPTIONS  
22

23       “**SECTION 30.** The unit captions used in this 2018 Act are provided  
24 only for the convenience of the reader and do not become part of the  
25 statutory law of this state or express any legislative intent in the  
26 enactment of this 2018 Act.  
27

28   “OPERATIVE DATE AND EMERGENCY CLAUSE  
29

30       “**SECTION 31.** (1) Sections 2 to 4 and 12 of this 2018 Act and the

1 amendments to ORS 401.651, 431A.850, 433.045, 441.057, 441.406, 676.108,  
2 676.150, 676.350, 676.400, 676.565, 676.595, 676.850, 676.992, 678.710, 678.720,  
3 678.740, 678.770, 678.800, 678.810, 678.820 and 743B.454 by sections 5 to 11  
4 and 13 to 26 of this 2018 Act become operative on January 1, 2019.

5 “(2) The Health Licensing Office and the Long Term Care Admin-  
6 istrators Board may take any action before the operative date specified  
7 in subsection (1) of this section that is necessary to enable the office  
8 and the board to exercise, on and after the operative date specified in  
9 subsection (1) of this section, all of the duties, functions and powers  
10 conferred on the office and the board by sections 2 to 4 and 12 of this  
11 2018 Act and the amendments to ORS 401.651, 431A.850, 433.045, 441.057,  
12 441.406, 676.108, 676.150, 676.350, 676.400, 676.565, 676.595, 676.850, 676.992,  
13 678.710, 678.720, 678.740, 678.770, 678.800, 678.810, 678.820 and 743B.454 by  
14 sections 5 to 11 and 13 to 26 of this 2018 Act.

15 “SECTION 32. This 2018 Act being necessary for the immediate  
16 preservation of the public peace, health and safety, an emergency is  
17 declared to exist, and this 2018 Act takes effect on its passage.”.

18