

NASUAD HCBS Conference 2018

Oregon's Long Term Care Referral Agency Registry

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Background

- What is a referral agent?
- How are referral agents typically compensated?
- How do referral agents differ from private case managers?



Business Models

- Online referral providers
 - Caring.com
 - Aplaceformom.com
- Brick and mortar providers
 - Team Senior Referral Sources
 - Right Fit Senior Living Solutions



Problems

- Why was regulation needed?
- Practices
- Discharge Planners



House Bill 2661

- HB 2661, passed in the 2017 Legislature, creating one of the first referral agent registries in the nation
- Long term care referral agents register with the Department of Human Services (DHS)
- <https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2661/Enrolled>
- Effective July 1, 2018

House Bill 2661 Rule Advisory Committee (RAC)

- DHS formed a rule advisory committee (RAC), which met six times from October 2017 through March 2018.
- Committee membership included referral agents, consumer advocates, and providers.
- Two subcommittees for application form and sample disclosure statement.



Who is a referral agent?

A person or entity that makes a referral to a facility for a client, for which the referral agent receives compensation of any kind worth \$1,000 or more from the long-term care facility.

Could be:

- Referral agent
- Discharge planner
- Facility who makes referrals to other facilities.
- Other



HB 2661 - Requirements

- Registration requirements include:
 - Individual Responsible for Registration
 - Disclosure Statement
 - Proof of Insurance
 - Background Checks
 - Registration Fee
 - (\$750 initial/ \$500 renewal every two years)



Registration Timeline

- DHS issues notice of filing after application is submitted
- DHS issues a certificate of registration 60 days after filing
- 30-day process for any application that needs correction



Registered Referral Agents

- Provide disclosure statement
- Client records – client access and record retention
- Link to Oregon facility complaints
itclicensing.oregon.gov
- Prohibited activities:
 - Client information
 - Facilities with ownership interest
 - Client written notice of ceasing services



Disclosure Statement – a Closer Look

- Disclosure statement elements:
 - Description of services
 - Contact information
 - Privacy policy
 - Whether services are only to contracted facilities
 - Payment of referral fees
- Orally, and in writing.



Administrative Sanctions

- Non-compliance of administrative rules, or for abuse
- Actions: denial, suspension, revocation or refusal to renew a registration
- Civil penalties (in development)
- Appeal rights



Communication Plan

Outreach to consumers and agents

- Website
 - Application
 - Link to rules
 - FAQ
- Press release, social media
- Educational brochure



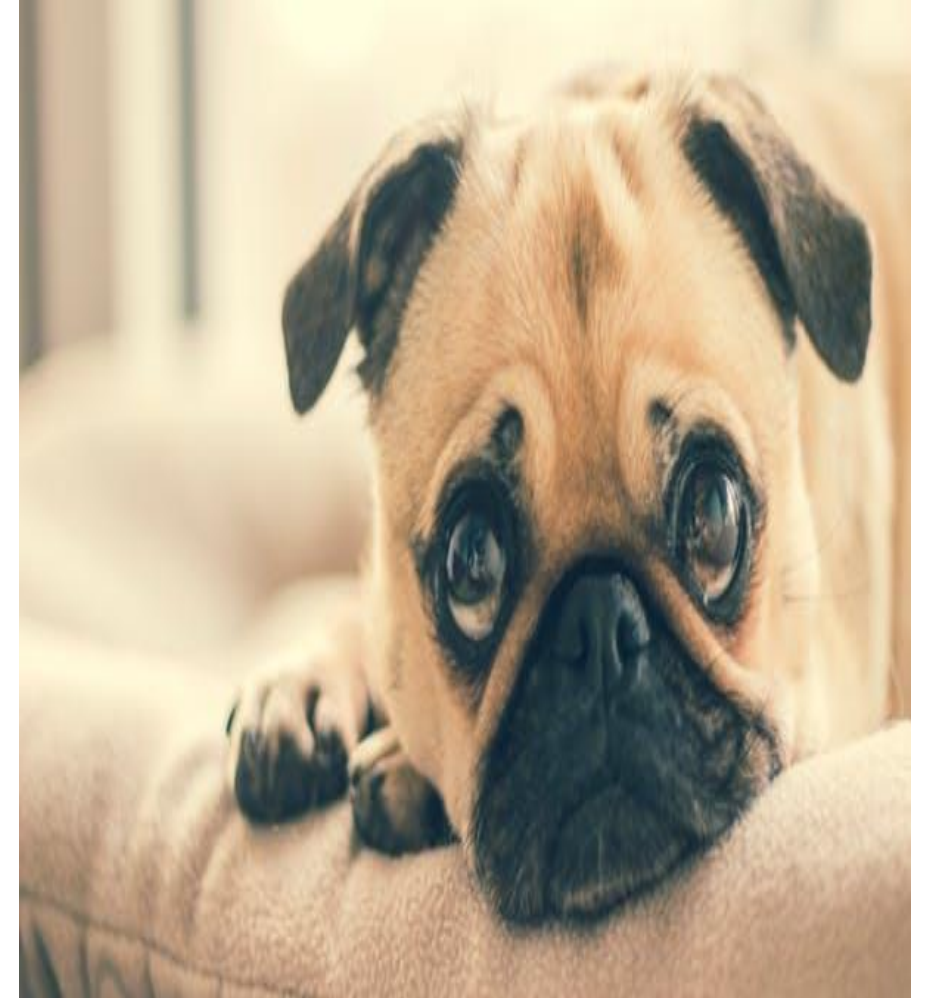
Transition Period

- July 1, 2018 effective date
- Applications
- Registration reviews
- Disclosure statement reviews.
- Background Checks



Legislation and Administrative Rules

- HB 2661:
 - <https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2661>
- OAR 411-058:
 - <http://www.dhs.state.or.us/policy/spd/rules/notice/FINAL%20411-058%20Notice%203-2018.pdf>



Public Information

- Oregon's website
 - <https://lucr.oregon.gov/>
- Frequently Asked Questions
 - <https://lucr.oregon.gov/Home/FAQ>



Questions and Answer Session



Thank You!

