

# Enrolled House Bill 4108

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

CHAPTER .....

AN ACT

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

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

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

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

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

**(c) “Equipment” means durable medical equipment that was donated by an individual or organization.**

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

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

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

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

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

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

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

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

**(B) Reused equipment is properly cleaned, sanitized, repaired, refurbished and reconfigured;**

**(C) There is a streamlined and user-friendly process for requesting equipment, processing the requests, checking the status of requests and maintaining records of requests and distributions of equipment;**

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

(E) Assistive technology professionals or other appropriately licensed or certified providers, acting in accordance with quality standards adopted by the authority, have the responsibility to:

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

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

(e) Limits of liability comparable to other providers of services to medical assistance recipients.

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

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

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

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

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

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

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

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**Passed by House March 3, 2014**

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate March 6, 2014**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2014

**Approved:**

.....M,....., 2014

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2014

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Kate Brown, Secretary of State