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/Measure Document/HB2661/Enrolled](https://olis.leg.state.or.us/liz/2017R1/Downloads/Measure Document/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
  \url{ltclicensing.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/HB 2661](https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB 2661)

• OAR 411-058:
Public Information

• Oregon’s website
  – https://ltcr.oregon.gov/

• Frequently Asked Questions
  – https://ltcr.oregon.gov/Home/FAQ
Questions and Answer Session
Thank You!