

Oregon CAH Compliance Meeting with OHA

April 21, 2025

The mission of the Oregon Office of Rural Health is to improve the quality, availability and accessibility of health care for rural Oregonians.

The Oregon Office of Rural Health's vision statement is to serve as a state leader in providing resources, developing innovative strategies and cultivating collaborative partnerships to support Oregon rural communities in achieving optimal health and well-being.

Webinar Logistics

- Audio is muted for all attendees.
- Select to populate the  to populate the chat feature on the bottom right of your screen. Please use either the chat function or raise your hand  on the bottom of your screen to ask your question live.
- Presentation slides and recordings will be posted shortly after the session at: <https://www.ohsu.edu/oregon-office-of-rural-health/resources-and-technical-assistance-cahs>.





Anna Davis has over 15 years of experience working for the State of Oregon in complex regulatory environments. She joined the Oregon Health Authority as the Nurse Staffing Policy Analyst in January 2016, became the Survey & Certification Program Manager in April 2018, and has managed both the Hospital Staffing and Survey & Certification Teams since June 2024. In her current role she oversees teams regulating acute and continuing care facilities/agencies to ensure compliance with federal and state health and safety requirements and Oregon's Hospital Staffing laws. She previously worked in compliance at the Oregon Liquor and Cannabis Commission and before that she spent seven years representing domestic violence and stalking survivors at Legal Aid.



OREGON
HEALTH
AUTHORITY

April 2025

Oregon Health Authority
Licensing Update for
Critical Access Hospitals

Anna Davis, Hospital Staffing & Acute Care Regulatory Manager

Oregon CAH Statistics

64 Hospitals

25 CAHs

~6 non-deemed hospitals

Oregon CAH Recertification Cycle

Recertification/Relicensure surveys occur every 3-5 years

- 2022 – 2 surveys
- 2023 – 2 Surveys
- 2024 – 2 surveys (1 facility subsequently deemed)

COVID-19 backlog

Oregon LSC & EP Citations Since 2021

| # of Times Cited | Tag # | Citation |
|------------------|-------|---|
| 7 | K355 | Portable Fire Extinguishers |
| 4 | K353 | Sprinkler System – Maintenance & Testing |
| 4 | K712 | Fire Drills |
| 4 | E13 | Development of EP P&Ps |
| 4 | E15 | Subsistence Needs for Staff & Patients |
| 4 | E18 | Procedures for Tracking Staff & Patients |
| 3 | K255 | Suite Separation, Hazardous Content |
| 3 | K923 | Gas Equipment – Cylinder and Container Storage |
| 2 | K323 | Anesthetizing Locations |
| 2 | K345 | Fire Alarm System – Testing & Maintenance |
| 2 | K761 | Maintenance, Inspection & Testing - Doors |
| 2 | K920 | Electrical Equipment – Power Cords & Extensions |
| 2 | E4 | Develop EP Plan, Review and Update Annually |
| 2 | E37 | EP Training Program |

Oregon CAH Citations Since 2021

| # of Times Cited | Tag # | Citation |
|------------------|-------|---|
| 6 | 816 | Licensure of CAH |
| 6 | 1208 | Infection Prevention, Surveillance, and Control of HAIs |
| 5 | 930 | LSC |
| 4 | 912 | Construction |
| 3 | 1260 | COVID-19 Vaccination of Facility Staff |
| 3 | 1042 | Agreements & Arrangements |
| 2 | 1006 | Patient Care Policies (written policies consistent w/ state law) |
| 2 | 1016 | Patient Care Policies (storage, handling, dispensation & administration of drugs & biologicals) |
| 2 | 1050 | Nursing Services |
| 2 | 1204 | Infection Prevention & Control Organization & Policies |
| 2 | 812 | Compliance with Federal, State, and Local Laws and Regulations |
| 2 | 914 | Maintenance |
| 2 | 1206 | Infection Prevention & Control Policies |

Oregon CAH Citations: Key Takeaways

- Construction & Satellites (~4 tags)
- Infection Control (3 tags)
- Emergency Preparedness (E tags)
- Fire Life Safety (K tags and 930)

Survey Process Updates

Surveys include on-site and remote components

- Survey initiated on-site
- Surveyor will discuss ways to share patient records at entrance conference. Opportunities to provide additional information, ask questions via email, phone, Teams.
- Exit conference may be held via Teams. Surveyor will schedule with Administrator. Administrator will be able to forward invite for others to attend.

Oregon Hospital Staffing Law Clarifications

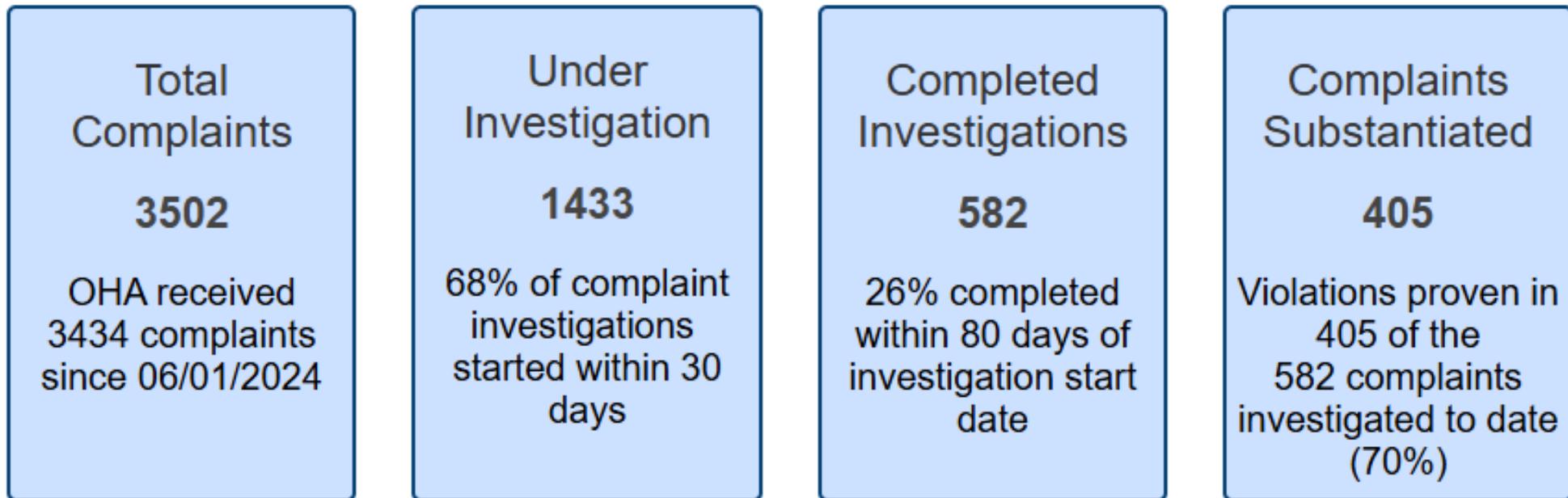
- NSC, NSPs, PTSCs, PTSPs, SSCs & SSPs
- Ratios & Enforceable Language – OHA can only enforce what is written in the NSP.

| OHA can usually enforce staffing levels that are described as: | OHA may not be able to enforce staffing levels described as |
|--|---|
| ✓ Required | X Recommended staffing |
| ✓ Mandatory | X Ideal staffing |
| ✓ Maximum Ratios | X Core, staffing |
| ✓ Minimum numbers | X Target staffing |
| ✓ Staffing Levels “must” or “shall” | X Allowed staffing |
| | X Staffing levels “may” |
| | X Staffing guideline |

Oregon Hospital Staffing Law Activity

Dashboard of Hospital Staffing Complaints Received Since Sep 1, 2023

Updated April 21, 2025



Oregon Hospital Staffing Law Clarifications

- Variances for Type A & B Hospitals
 - Described in ORS 441.763(6)
 - Permits variance from the unit-based nurse staffing ratio requirements in ORS 441.765
 - Only available to Type A & Type B hospitals
- Waivers – ORS 441.778

Oregon Hospital Staffing Law Clarifications

Neither a Variance nor a Waiver can relieve Hospitals from

- The requirement to have a staffing committee
- The requirement to have and comply with a staffing plan
- The requirement to release staffing committee members to attend staffing committee meeting
- The maximum patient limits for CNAs in ORS 441.768
- Mandatory Overtime (MOT) limitations for Nursing Staff Members
- BOLI's meal & break requirements

Oregon Hospital Staffing Law Clarifications

- Where to find more Hospital Staffing information
 - www.healthoregon.org/hospitalstaffing – Short videos, webinars, Staffing Plans, Investigation Reports, and more
 - Mailbox.nursestaffing@oha.Oregon.gov

Maternity Services

- General Acute Care Hospitals in Oregon are required to provide maternity services under OAR 333-500-0032(2)(a) unless they have an approved waiver under OAR 333-500-0065.
- Critical Access Hospitals are not required to have a maternity unit.
- All Oregon hospitals must comply with the federal Emergency Treatment and Active Labor Act (EMTALA). Hospital with an ED must “provide necessary stabilizing treatment to an individual with an EMC or an individual in labor” regardless of whether the hospital offers maternity services.

Oregon CAH Compliance Resources

| | | |
|----------------------------------|---|--|
| HOSPITALS | Provide medical and surgical treatment and nursing care for sick or injured people. Within this category are several types of hospitals (pdf) . | |
| Laws & Rules Governing Hospitals | Federal Regulations | CFR Title 42, Chapter IV, Parts 482 (CMS regulations) CFR Title 42, Chapter IV, Part 485 (Critical Access) CMS State Operations Manual Appendix A (Hospitals) (pdf) CMS State Operations Manual Appendix AA (Psychiatric Hospitals) (pdf) CMS State Operations Manual Appendix T (Swing Beds) (pdf) CMS State Operations Manual Appendix V (Responsibilities of Medicare Participating Hospitals in Emergency Cases) (pdf) CMS State Operations Manual Appendix W (Critical Access Hospitals) (pdf) |
| | State Laws | ORS 441.015 - 441.088; 441.151 - 441.192; 441.198; 441.198 |
| | Oregon Administrative Rules Chapter 333 | Division 200 Emergency Medical Services and Systems Division 205 Trauma System Hospital Identification in Trauma Area #1 Division 500 Definitions, Application and Renewal Procedures, Fees, Facility Closure Division 501 Hospital Monitoring, Surveys, Investigations, Discipline, and Civil Penalties Division 505 Hospital Organization and Management Division 510 Patient Care and Nursing Services in Hospitals Division 515 Hospital Environmental and Maintenance Services Division 520 Hospital Services Division 525 Specialty Hospitals Division 535 New Construction and Alterations of Existing Hospitals |

Oregon CAH Compliance Resources

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|------------------------------|---|
| Applications for Licensees | Application Hospitals (pdf) - 2023 license renewals should be completed using the electronic form hospitals received by email |
| Guidance Memos for Licensees | §1135 Waiver Termination (webinar) and PowerPoint (pdf) Acute Hospital Care At Home (pdf) Addition of New Hospital Satellite Location (pdf) Addition of Services (pdf) Certificate of Need Information (pdf) Change of Ownership (CHOW) Information Hospital (pdf) Crisis Standards of Care Explanation Memo (pdf) Existing Services: Change of Location (pdf) Hospital Reporting for Crisis Standards of Care Activation (pdf) Hospital Rules Related to Crisis Standards of Care (pdf) Hospital Satellite Distance Standard (pdf) Mental Health Discharge Survey Tool - Emergency Department (pdf) Mental Health Discharge Survey Tool - Inpatient Departments (pdf) Oregon Interim Crisis Care Tool (pdf) Personal Protective Equipment, Screening and Visitation in CMS-certified Hospitals, Psychiatric Hospitals, and Critical Access Hospitals (CAHs) (pdf) Surgical Tech Apprenticeship Programs approved by OHA (pdf) Surg Tech Certification Options (pdf) Swing Beds Memo (pdf) Waiver Requests (pdf) **NEW |
| Information for the Public | Current List of Hospitals (pdf) Current List of Hospital Satellites (pdf) Emergency Department Discharge Practices for Behavioral Health Crisis Care: A Statewide Survey of Hospitals - Legislative Report (pdf) HB 2574 - Dispensing 5-day supply of HIV post-exposure prophylaxis (pdf) **NEW Fact sheet: Use of "emergency" and derivative terms in posted name or advertising (pdf) |

OHA Rulemaking

To find out about rulemaking visit: www.healthoregon.org/hcrqirules.

There you will find information about:

- Temporary Rules currently in place
- Proposed Rules open for public comment
- RACs in progress
- How to participate in a RAC
- Recently Filed New and Amended Rules

Thank you

Visit our website www.healthoregon.org/hflc and www.healthoregon.org/hospitalstaffing for additional resources

Email mailbox.hclc@odhsoha.Oregon.gov (general) or

mailbox.nursestaffing@oha.Oregon.gov (Hospital Staffing) with questions

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Health Care Regulation and Quality Improvement
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Portland OR 97232
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ORH Announcements

Next ORH Biweekly Policy Update Meeting | May 2 | 12:00 p.m. ([Register here](#))

May 19-21, Seaside, OR | 2nd Annual Forum on Rural Population Health
([Register here](#))

May 21-22, Seaside, OR | CAH Quality Workshop ([Learn more and register here](#))

Next Community Conversations | May 15| 12:00 p.m.
ORH's EMS Workforce Recruitment and Retention Programs ([Register here](#))

October 1-3, Bend, OR | 42nd Annual Oregon Rural Health Conference
([Learn more and register here](#))

Thank you!

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