

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Department of Human Services-Public Health Division	333	
Agency and Division	Administrative Rules Chapter Number	
Sally Peters	800 NE Oregon Street, Suite 918, Portland, Oregon 97232	971-673-0561
Rules Coordinator	Address	Telephone

**RULE CAPTION**  
Amends, adopts, and repeals the rules related to Hospitals

June 24, 2009	11:00 a.m.	3414 Cherry Ave NE, Room 123, Salem, Oregon	Jana Fussell
Hearing Date	Time	Location	Hearings Officer

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

333-500-0005, 333-500-0025, 333-500-0032, 333-500-0034, 333-500-0036, 333-500-0038, 333-500-0045, 333-500-0065, 333-501-0005, 333-501-0010, 333-501-0015, 333-501-0020, 333-501-0025, 333-501-0030, 333-501-0035, 333-501-0040, 333-501-0045, 333-501-0050, 333-501-0055, 333-505-0033, 333-505-0080, 333-505-0090, 333-505-0100, 333-505-0110, 333-505-0120, 333-520-0035, 333-520-0120.

**AMEND:**

333-500-0010, 333-500-0020, 333-500-0030, 333-500-0040, 333-500-0055, 333-500-0060, 333-500-0090, 333-505-0001, 333-505-0005, 333-505-0007, 333-505-0010, 333-505-0020, 333-505-0030, 333-505-0040, 333-505-0050, 333-505-0060, 333-505-0070, 333-510-0001, 333-510-0002, 333-510-0010, 333-510-0020, 333-510-0030, 333-510-0040, 333-510-0045, 333-510-0050, 333-510-0060, 333-515-0001, 333-515-0005, 333-515-0020, 333-515-0030, 333-515-0040, 333-520-0000, 333-520-0020, 333-520-0030, 333-520-0040, 333-520-0050, 333-520-0060, 333-520-0070, 333-520-0075, 333-525-0000, 333-525-0010.

**REPEAL:**

333-500-0050, 333-500-0056, 333-500-0057, 333-500-0070, 333-500-0080, 333-500-0100, 333-510-0005, 333-510-0046, 333-510-0047, 333-510-0070, 333-510-0080, 333-510-0090, 333-510-0100, 333-520-0010, 333-520-0055, 333-520-0073, 333-520-0080, 333-520-0090, 333-520-0100, 333-520-0110, 333-530-0000, 333-530-0010, 333-530-0020, 333-530-0030, 333-530-0040, 333-530-0050, 333-530-0060, 333-530-0070, 333-530-0080, 333-530-0090, 333-530-0100, 333-530-0110, 333-530-0120, 333-530-0130, 333-530-0140, 333-530-0150, 333-530-0160, 333-530-0170, 333-530-0180, 333-530-0190.

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : ORS 409.050, 431.162, 441.015, 441.055, 441.064, 441.170, 441.815, 442.015 & 442.807.

Other Auth.:

Stats. Implemented: ORS 183.745, 431.162, 435.254, 441.015 – 441.096, 441.160 – 441.192, 441.815, 442.015, 442.800 – 442.807, 750.055 & 750.333.

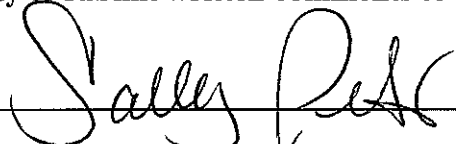
**RULE SUMMARY**

The Department of Human Services, Public Health Division is proposing to adopt, amend, and repeal the Oregon Administrative Rules relating to Hospitals, to update the rules to be consistent with Centers for Medicare and Medicaid regulations; provide better organization for the rules; provide clearer wording; provide clearer processes for licensing, handling complaints, investigations, surveys, and discipline; establish clear classifications for different types of hospitals; establish clearer rules for medical records and what is required to be documented in a medical record; make clear the types of patient services that are required for different categories of hospitals; and making housekeeping changes.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

**Last Day to submit written comments to the Rules Coordinator is 5:00 p.m. on June 26, 2009.**

---

Signature		Sally Peters	5/14/09	Date
-----------	---	--------------	---------	------

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Human Services, Public Health Division

333

Agency and Division

Administrative Rules Chapter Number

---

Amends, adopts, and repeals the rules related to Hospitals.

---

Rule Caption

**In the Matter of:** Amending, adopting, and repealing the rule text regarding the Oregon Administrative Rules: Chapter 333, Divisions 500, 501, 505, 510, 515, 520, 525 and 530 pertaining to Hospitals

**Statutory Authority:** ORS 409.050, 431.162, 441.015, 441.055, 441.064, 441.170, 441.815, 442.015 & 442.807.

**Other Authority:**

**Stats. Implemented:** ORS 183.745, 431.162, 435.254, 441.015 – 441.096, 441.160 – 441.192, 441.815, 442.015, 442.800 – 442.807, 750.055 & 750.333.

**Need for the Rule(s):**

The Department of Human Services, Public Health Division is proposing to adopt, amend, and repeal the Oregon Administrative Rules relating to Hospitals, to update the rules to be consistent with Centers for Medicare and Medicaid regulations; establish clearer rules for medical records and what is required to be documented in a medical record; make clear the types of patient services that are required for different categories of hospitals;

**Documents Relied Upon, and where they are available:**

Centers for Medicare and Medicaid Regulations pertaining to Hospitals (42CFR 482).

Documents may be obtained by contacting the Department of Human Services, Public Health Division, Health Care Licensure and Certification, 800 NE Oregon Street, Suite 305, Portland, Oregon 97232 or by calling 971-673-0540.

**Fiscal and Economic Impact:**

There is minimal fiscal impact on the 64 licensed hospitals. Hospitals will need to update policies and procedures that are related to rule compliance. The program is unable to accurately estimate the cost of this work but feels there should be some cost savings due to having rules that are well organized, easily referenced and aligned with existing Medicare regulations for hospitals.

**Statement of Cost of Compliance:**

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

State owned hospitals will be affected by rule changes but see very limited fiscal impact involved in training staff and changing existing policies and procedures. Impact is limited to due existing compliance with Medicare regulations.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

These changes to existing hospital rules will affect 64 hospitals and 4 special inpatient units, of those facilities only one would be considered a small business as defined by ORS 183.310(10).

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

Very limited costs related to staff training and changes in existing policies in procedures to ensure compliance with changes in the rules.

c. Equipment, supplies, labor and increased administration required for compliance:

None: There should be no costs for these items.

**How were small businesses involved in the development of this rule?**

Representatives of the hospitals both small and large, and the Oregon Medical Association, the Oregon Nurses Association, and the Oregon Association of Hospitals and Health Systems were actively involved in the rule making process.

**Administrative Rule Advisory Committee consulted? If not, why?:**

Yes, there were at least five meetings with representatives from various hospitals throughout the state, representatives from the following organizations:

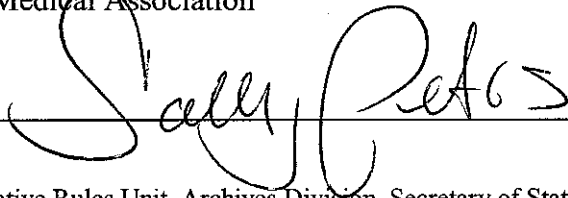
Oregon Association of Hospitals and Health Systems

Oregon Nurses Association

Oregon Board of Nursing

Oregon Medical Association

Signature



Sally Peters

Printed name

5/14/09

Date