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Chapter 411@ DEPARTMENT OF HUMAN SERVICES, AGING AND PEOPLE WITH DISABILITIES AND DEVELOPMENTAL DISABILITIES

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Division 89@ NURSING FACILITIES/LICENSING - COMPLAINTS, INSPECTIONS, AND SANCTIONS

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Section 411-089-0075@ Temporary Manager

411-089-0075 Temporary Manager

(1)

APPOINTMENT. The Department, with the consent of the licensee, may appoint a temporary manager to assume control of the day-to-day operation of the facility in accordance with Oregon Laws 2009, chapter 539, sections 14 through 18. The appointment may be for a period not to exceed six months.

(2)

CRITERIA. A temporary manager may be appointed if the Department determines the health or safety of residents in the facility are, or in the immediate future shall be, in jeopardy based upon: (a) The licensee's unwillingness or inability to comply with Department rules in the operation of the facility; (b) The imminent insolvency of the facility; (c) The Department's revocation or suspension of the license of the facility; or (d) The Department's determination the licensee intends to cease operations and to close the facility without adequate arrangements for the relocation of the residents.

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(b)

The imminent insolvency of the facility;

(c)

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(d)

The Department's determination the licensee intends to cease operations and to close the facility without adequate arrangements for the relocation of the residents.

(3)

DUTIES AND POWERS. The temporary manager has all of the duties and powers, as agreed upon between the Department and the licensee, that are necessary to ensure the safety and well-being of the residents and the continued operation of the facility.

(4)

QUALIFICATIONS. In order to qualify for appointment as temporary manager, the prospective appointee must: (a) Be familiar with the Department's rules for the operation of the facility to be served; (b) Be familiar with the needs of the resident population in the facility to be served; and (c) Have a demonstrated history (five year minimum) of operating and managing a similar facility in substantial compliance with Department rules.

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