

## Chapter 442

### Homes for the Aged

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#### CROSS REFERENCES

Statistics to be kept by supervisors of institutions,  
432 165  
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442.040  
Rules and regulations of state agencies, Ch. 183

12-13-58

<sup>9</sup>**442.010 Licenses required for persons maintaining homes for the aged; renewal.** No person, firm, corporation or association shall establish or maintain for compensation or charge any home or other institution for the board or care of five or more persons of advanced age, without first obtaining a license therefor from the State Board of Health. Such licenses, when issued, shall be renewed annually

**442.020 Application for license.** Any application for license under this chapter shall be accompanied by a plan of the premises proposed to be occupied, describing the buildings and the use intended, the extent and location of grounds appurtenant thereto and the number of patients proposed to be received therein, together with such other information as the State Board of Health may require.

**442.030 Examination of premises.** The State Board of Health shall not grant any license under this chapter without first having made, or caused to be made, an examination of the premises to be licensed, nor unless the State Board of Health is satisfied that such premises are substantially as described and otherwise fit and suitable for the purpose for which they are designed to be used.

**442.040 Rules and regulations.** The State Board of Health may prescribe the conditions upon which licenses shall be granted or renewed pursuant to this chapter and may make such rules and regulations regarding such licenses as are by it deemed necessary and proper in carrying out the provisions of this chapter.

**442.050 License fee; account and disposition of fees.** (1) Subject to the provisions of ORS 442.030 and 442.040, a license may be granted upon payment of an annual fee of \$10.

(2) The State Health Officer shall keep a correct account of all fees received and turn them over to the State Treasurer to be used by the State Board of Health for the administration of this chapter

**442.060 Inspection.** The State Health Officer, or his representative, may at any or all times inspect any home or other institution licensed pursuant to this chapter. He shall so inspect such institutions four times each year.

**442.070 Revocation of license for violation; notice; hearing; findings and action.**

(1) If it is found that any licensee has failed to maintain or conduct any home or institution in conformity with this chapter or with the regulations of the State Board of Health authorized by this chapter, notice of the violation shall forthwith be given to such institution including the fact that, at a time and place certain, the State Board of Health will consider the question of revocation of such license.

(2) At the time and place stated in the notice, a hearing shall be held at which the licensee and any witnesses the licensee desires to call shall be heard.

(3) The hearings shall be reported, and a record made thereof.

(4) If it is found by the State Board of Health after any hearing that an institution is being maintained or conducted in violation of this chapter or the duly promulgated regulations, and not in the interests of the inmates thereof, it may amend or revoke such license by an order which shall take effect within such time after service thereof on the licensee as the State Board of Health determines.

**442.080 Jurisdiction over prosecutions.** Justice courts shall have concurrent jurisdiction with district and circuit courts in all prosecutions arising under this chapter.

**442.090 Application of chapter.** This chapter does not apply to any home or institution otherwise licensed by the state.

**442.990 Penalties.** Violation of ORS 442.010 is punishable, upon conviction, by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail for not less than 30 days nor more than six months, or both.

