

75th OREGON LEGISLATIVE ASSEMBLY – 2010 Special Session
STAFF MEASURE SUMMARY
House Committee on Human Services

**** CORRECTED ****
MEASURE: HB 3618A
CARRIER:

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

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| Action: | Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means |
| Vote: | 6 - 4 - 0 |
| Yeas: | Boone, Dembrow, Doherty, Frederick, VanOrman, Tomei |
| Nays: | Freeman, Huffman, Maurer, Olson |
| Exc.: | 0 |
| Prepared By: | Rick Berkobien, Administrator |
| Meeting Dates: | 2/5, 2/8 |

WHAT THE MEASURE DOES: Specifies intent of measure. Modifies definition of “home care worker” to provide workers’ compensation to workers beginning January 1, 2011. Includes workers who receive compensation from Department of Human Services (DHS), area agencies or other public agencies (“agencies”) who: 1) are hired by an elderly person or person with a disability or by a parent/guardian of such a person; 2) receives pay from DHS to provide care; 3) is funded in whole or part by the agencies; and, 4) provides hourly or live-in home care services. Requires agencies to collect names and other information pertaining to those individuals before October 1, 2010. Requires DHS to keep and maintain information until July 1, 2013. Defines “adult support services,” “personal support worker” and “support services brokerage.” Requires Home Care Commission to create an eight-member Developmental Disabilities and Mental Health Committee, and outlines duties. Requires inclusion of names and other information in registry maintained by Commission on or after July 1, 2013. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Work group that developed bill
- Potential current and future costs
- Information that can be disclosed regarding workers and to whom
- Training requirements under workers’ compensation program
- Collective bargaining impact on measure
- People with mental health problems who require services
- Current workers’ compensation costs and calculations

EFFECT OF COMMITTEE AMENDMENT: Adds language on intent of measure. Modifies definition of “home care worker” and provides workers’ compensation to these individuals beginning January 1, 2011. Includes workers who receive compensation from Department of Human Services (DHS), area agencies or other public agencies (“agencies”) who: 1) is hired directly by an elderly person or person with a disability or by a parent/guardian of such a person; 2) receives moneys from DHS to provide care to person; 3) is compensated in whole or part by the agencies; and, 4) provides hourly or live-in home care services. Requires agencies to collect names and other information pertaining to those individuals before October 1, 2010. Requires DHS to keep and maintain information until July 1, 2013. Adds definition of “adult support services,” “personal support worker” and “support services brokerage.” Requires Commission to create an eight-member Developmental Disabilities and Mental Health Committee, and outlines duties. Requires inclusion of names and other information in registry maintained by Home Care Commission on or after July 1, 2013.

BACKGROUND: In 2000, Oregon voted to amend the State Constitution to create the Home Care Commission (HCC). The Commission is responsible for ensuring the quality of home care services funded by the Department of Human Services for seniors and people with disabilities. Many providers of services in programs such as the Client Employed Provider Program, Oregon Project Independence, Spousal Care Program and some Personal Care Services

2/9/2010 11:40:00 AM

This summary has not been adopted or officially endorsed by action of the committee.

providers are covered by the HCC. Care providers serving people with developmental disabilities and medically fragile children typically are not under the HCC.