

**PROPOSED AMENDMENTS TO
SENATE BILL 774**

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating
2 new provisions; amending ORS 410.604;”.

3 Delete lines 4 through 30 and delete page 2 and insert:

4 **“SECTION 1. Section 2 of this 2015 Act is added to and made a part
5 of ORS 410.595 to 410.625.**

6 **“SECTION 2. (1) The Home Care Commission shall adopt a state-
7 wide plan to:**

8 **“(a) Increase participation in the home care registry maintained by
9 the commission under ORS 410.604;**

10 **“(b) Increase the number of home care workers in this state in or-
11 der to meet the need that will arise with the implementation of the
12 Fair Labor Standards Act; and**

13 **“(c) Continue the commission’s work to create a career ladder for
14 home care workers so that they may become greater skilled and ex-
15 ceptional home care workers.**

16 **“(2) The plan must include an outreach and marketing strategy and
17 skills development provisions for home care workers who provide
18 home care services to individuals requiring a higher level of support.**

19 **“(3) The commission shall contract with a public or private entity
20 with appropriate expertise to recommend the design for the statewide
21 plan described in this section.**

22 **“SECTION 3. In addition to and not in lieu of any other appropri-**

1 ation, there is appropriated to the Department of Human Services, for
2 the biennium beginning July 1, 2015, out of the General Fund, the
3 amount of \$1,500,000, which shall be made available to the Home Care
4 Commission for expenses in carrying out section 2 of this 2015 Act.

5 **“SECTION 4. (1) The Legislative Assembly encourages the Depart-**
6 **ment of Human Services to:**

7 **“(a) Implement a single online application for all home workers, as**
8 **defined in ORS 410.600, to apply to be included on the registry main-**
9 **tained by the Home Care Commission under ORS 410.604.**

10 **“(b) Assign a unique provider number to each home care worker**
11 **who is providing home care services in this state, regardless of**
12 **whether the recipient of the services:**

13 **“(A) Has a physical disability, a mental illness or a developmental**
14 **disability; or**

15 **“(B) Is an elderly person, an adult or a child.**

16 **“(2) The department shall report to the interim committees of the**
17 **Legislative Assembly related to human services, as appropriate, no**
18 **later than December 1 of each year beginning in 2015, on the status**
19 **of implementing an online application for, and assigning a unique**
20 **provider number to, home care workers.**

21 **“SECTION 5. (1) The Home Care Commission shall convene a work**
22 **group to investigate:**

23 **“(a) The feasibility and benefits of certifying home care workers;**

24 **“(b) Ways to remove barriers to the entry into the workforce of new**
25 **home care workers and personal support workers;**

26 **“(c) Strategies for creating a career ladder for home care workers;**

27 **“(d) Appropriate training for home care workers; and**

28 **“(e) Ways to increase the number of home care workers on the**
29 **registry maintained by the commission under ORS 410.604.**

30 **“(2) The commission shall report the findings of the work group to**

1 **the interim committees of the Legislative Assembly related to human**
2 **services no later than September 16, 2015.**

3 **“SECTION 6.** ORS 410.604 is amended to read:

4 “410.604. (1) The Home Care Commission shall ensure the quality of home
5 care services by:

6 “(a) Establishing qualifications for home care workers with the advice
7 and consent of the Department of Human Services;

8 **“(b) Conducting orientation sessions for home care workers;**

9 “[*b*] (c) Providing training opportunities for home care workers and el-
10 derly persons and persons with disabilities who employ home care workers;

11 “[*c*] (d) Establishing and maintaining a registry of qualified home care
12 workers;

13 “[*d*] (e) Providing routine, emergency and respite referrals of home care
14 workers;

15 “[*e*] (f) Entering into contracts with public and private organizations
16 and individuals for the purpose of obtaining or developing training materials
17 and curriculum or other services as may be needed by the commission; and

18 “[*f*] (g) Working **on its own, if resources are available, or**
19 cooperatively with area agencies and state and local agencies to accomplish
20 the duties listed in paragraphs (a) to [*e*] (f) of this subsection.

21 “(2)(a) The commission shall enter into an interagency agreement with
22 the department to contract for a department employee to serve as executive
23 director of the commission. The executive director shall be appointed by the
24 Director of Human Services in consultation with the Governor and subject
25 to approval by the commission, and shall serve at the pleasure of the Direc-
26 tor of Human Services. The commission may delegate to the executive di-
27 rector the authority to act on behalf of the commission to carry out its
28 duties and responsibilities, including but not limited to:

29 “(A) Entering into contracts or agreements; and

30 “(B) Taking reasonable or necessary actions related to the commission’s

1 role as employer of record for home care workers under ORS 410.612.

2 “(b) The commission shall enter into an interagency agreement with the
3 department for carrying out any of the duties or functions of the commission,
4 for department expenditures and for the provision of staff support by the
5 department.

6 “(3) When conducting its activities, and in making decisions relating to
7 those activities, the commission shall first consider the effect of its activities
8 and decisions on:

9 “(a) Improving the quality of service delivered by home care workers;

10 “(b) Ensuring adequate hours of service are provided to elderly persons
11 and persons with disabilities by home care workers; and

12 “(c) Ensuring that services, activities and purchases that are purchased
13 by elderly persons and persons with disabilities other than home care ser-
14 vices, including adult support services, are not compromised or diminished.

15 “(4) The commission shall work with culturally diverse community-based
16 organizations to train and certify community health workers and personal
17 health navigators. The workers and navigators shall work as part of a
18 multidisciplinary team under the direction of a licensed or certified health
19 care professional. The commission shall recruit qualified home care workers
20 who desire to be trained and certified as community health workers or per-
21 sonal health navigators.

22 “(5) The commission shall ensure that each coordinated care organization
23 honors all of the terms and conditions of employment established by the
24 commission with respect to the community health workers and personal
25 health navigators referred by the commission. This subsection does not re-
26 quire a coordinated care organization to employ or contract with community
27 health workers and personal health navigators certified by the commission
28 so long as the community health workers and personal health navigators
29 employed or otherwise retained by the organization meet competency stan-
30 dards established by the authority under ORS 414.665.

1 “(6) The commission has the authority to contract for services, lease, ac-
2 quire, hold, own, encumber, insure, sell, replace, deal in and with and dispose
3 of real and personal property in its own name.

4 “(7) As used in this section, ‘community health worker,’ ‘coordinated care
5 organization’ and ‘personal health navigator’ have the meanings given those
6 terms in ORS 414.025.

7 **“SECTION 7.** ORS 410.604, as amended by section 6, chapter 116, Oregon
8 Laws 2014, is amended to read:

9 “410.604. (1) The Home Care Commission shall ensure the quality of home
10 care services by:

11 “(a) Establishing qualifications for home care workers, with the advice
12 and consent of the Department of Human Services, to ensure the effective
13 delivery of home care services by a qualified, committed, experienced and
14 well-trained home care workforce;

15 **“(b) Conducting orientation sessions for home care workers;**

16 “[*b*] (c) Establishing training requirements for home care workers, in-
17 cluding personal support workers, as the commission deems appropriate, and
18 providing training opportunities for home care workers and elderly persons
19 and persons with disabilities who employ home care workers or personal
20 support workers;

21 “[*c*] (d) Establishing the home care registry and maintaining the registry
22 with qualified home care workers;

23 “[*d*] (e) Providing routine, emergency and respite referrals of home care
24 workers;

25 “[*e*] (f) Entering into contracts with public and private organizations
26 and individuals for the purpose of obtaining or developing training materials
27 and curriculum or other services as may be needed by the commission;

28 “[*f*] (g) Establishing occupational health and safety standards for home
29 care workers, in accordance with ORS 654.003 (3), and informing home care
30 workers of the standards; and

1 “~~[(g)]~~ **(h)** Working **on its own, if resources are available, or**
2 cooperatively with area agencies and state and local agencies to accomplish
3 the duties listed in paragraphs (a) to ~~[(f)]~~ **(g)** of this subsection.

4 “(2)(a) The commission shall enter into an interagency agreement with
5 the department to contract for a department employee to serve as executive
6 director of the commission. The executive director shall be appointed by the
7 Director of Human Services in consultation with the Governor and subject
8 to approval by the commission, and shall serve at the pleasure of the Direc-
9 tor of Human Services. The commission may delegate to the executive di-
10 rector the authority to act on behalf of the commission to carry out its
11 duties and responsibilities, including but not limited to:

12 “(A) Entering into contracts or agreements; and

13 “(B) Taking reasonable or necessary actions related to the commission’s
14 role as employer of record for home care workers under ORS 410.612.

15 “(b) The commission shall enter into an interagency agreement with the
16 department for carrying out any of the duties or functions of the commission,
17 for department expenditures and for the provision of staff support by the
18 department.

19 “(3) When conducting its activities, and in making decisions relating to
20 those activities, the commission shall first consider the effect of its activities
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29 organizations to train and certify community health workers and personal
30 health navigators. The workers and navigators shall work as part of a

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2 care professional. The commission shall recruit qualified home care workers
3 who desire to be trained and certified as community health workers or per-
4 sonal health navigators.

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13 dards established by the authority under ORS 414.665.

14 “(6) The commission has the authority to contract for services, lease, ac-
15 quire, hold, own, encumber, insure, sell, replace, deal in and with and dispose
16 of real and personal property in its own name.

17 “(7) As used in this section, ‘community health worker,’ ‘coordinated care
18 organization’ and ‘personal health navigator’ have the meanings given those
19 terms in ORS 414.025.

20 **“SECTION 8. Section 4 of this 2015 Act is repealed on January 2,
21 2020.**

22 **“SECTION 9. Section 5 of this 2015 Act is repealed on January 2,
23 2016.**

24 **“SECTION 10. This 2015 Act being necessary for the immediate
25 preservation of the public peace, health and safety, an emergency is
26 declared to exist, and this 2015 Act takes effect on its passage.”.**

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