

A-Engrossed
House Bill 2964

Ordered by the House April 9
Including House Amendments dated April 9

Sponsored by Representative NOSSE; Representatives CAMPOS, LEIF, RUIZ

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Department of Human Services to reimburse cost of care provided [*in residential training facilities and residential training homes*] **by specified agencies** in amounts sufficient to allow [*facilities and homes*] **agencies** to pay direct support professional 150 percent of state minimum wage.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to direct support professionals; and declaring an emergency.

3 Whereas direct support professionals provide crucial supports to adults and children experienc-
4 ing intellectual and developmental disabilities, including managing medical needs, challenging be-
5 haviors, personal hygiene and supporting the adults in maintaining employment and making real
6 connections in the community; and

7 Whereas the COVID-19 crisis has demonstrated that direct support professionals are more val-
8 uable than ever yet continue to struggle with low wages, threatening their economic security and
9 job stability; and

10 Whereas direct support professionals have been on the front line of the COVID-10 crisis, as es-
11 sential as ever, and they deserve a significant investment in their jobs in 2021; and

12 Whereas national data shows that direct support professionals are a growing and diverse
13 workforce in which 87 percent are women, 59 percent are people of color and 27 percent are immi-
14 grants; and

15 Whereas direct support professionals face persistently low wages without inflation adjusted in-
16 creases and many receive wages that are at or slightly above the state minimum wage; and

17 Whereas the incredibly dedicated direct support professionals are not state employees, though
18 they are funded almost entirely by state moneys, and need a significant investment by the Legisla-
19 tive Assembly so they can continue to provide support to Oregonians experiencing intellectual and
20 developmental disabilities; now, therefore,

21 **Be It Enacted by the People of the State of Oregon:**

22 **SECTION 1. (1) As used in this section:**

23 (a) **“Community living support” includes attendant care, skills training and relief care.**

24 (b) **“Day support activities” means attendant care delivered during scheduled, structured**
25 **activities in a nonresidential setting that focuses on maintaining or enhancing the skills**
26 **needed by an individual with an intellectual or developmental disability to engage in the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 individual's community.

2 (c) "Direct support professional" means an employee of a provider agency who provides
3 attendant care to individuals receiving employment services, supported living services, day
4 support activities, in-home or community living support services or services in a residential
5 training facility or residential training home.

6 (d) "Employment services" means individualized, evidence-based services provided to an
7 individual with an intellectual or developmental disability to assist the individual in choosing,
8 securing and retaining work in an integrated employment setting.

9 (e) "Medical assistance" has the meaning given that term in ORS 414.025.

10 (f) "Provider agency" means an entity that provides:

11 (A) Services to individuals in residential training facilities or residential training homes;

12 (B) In-home services;

13 (C) Supported living services;

14 (D) Employment services;

15 (E) Day support activities; or

16 (F) Community living support.

17 (g) "Residential training facility" and "residential training home" have the meaning given
18 those terms in ORS 443.400.

19 (h) "Supported living services" means services that provide an individual with an intel-
20 lectual or developmental disability the ability to live in the community where the individual
21 wants, with whom the individual wants, for as long as the individual desires.

22 (2) The Department of Human Services shall reimburse provider agencies for the cost
23 of care provided to medical assistance recipients in amounts sufficient to allow the provider
24 agencies to pay to their direct support professionals wages that average at least 150 percent
25 of the minimum wage established in ORS 653.025 (2) as adjusted for inflation under ORS
26 653.025 (5).

27 **SECTION 2.** This 2021 Act being necessary for the immediate preservation of the public
28 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
29 on its passage.

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