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
Relating to direct support professionals; and declaring an emergency.

Whereas direct support professionals provide crucial supports to adults and children experiencing intellectual and developmental disabilities, including managing medical needs, challenging behaviors, personal hygiene and supporting the adults in maintaining employment and making real connections in the community; and

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

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

Whereas national data shows that direct support professionals are a growing and diverse workforce in which 87 percent are women, 59 percent are people of color and 27 percent are immigrants; and

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

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

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

SECTION 1. (1) As used in this section:
(a) "Community living support" includes attendant care, skills training and relief care.
(b) "Day support activities" means attendant care delivered during scheduled, structured activities in a nonresidential setting that focuses on maintaining or enhancing the skills needed by an individual with an intellectual or developmental disability to engage in the
individual's community.

(c) “Direct support professional” means an employee of a provider agency who provides
to individuals receiving employment services, supported living services, day
support activities, in-home or community living support services or services in a residential
training facility or residential training home.

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

(e) “Medical assistance” has the meaning given that term in ORS 414.025.

(f) “Provider agency” means an entity that provides:

(A) Services to individuals in residential training facilities or residential training homes;
(B) In-home services;
(C) Supported living services;
(D) Employment services;
(E) Day support activities; or
(F) Community living support.

(g) “Residential training facility” and “residential training home” have the meaning given
those terms in ORS 443.400.

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

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

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