ALEX CUYLER

Intergovernmental Relations Manager
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DATE: February 3, 2022
TO: House Committee on Behavioral Health
FROM: Alex Cuyler, Lane County Intergovernmental Relations Manager
RE: HB 4004, relating to financial resources available to provide care

Dear Chair Nosse and members of the House Committee on Behavioral Health:

The Lane County Board of Commissioners has reviewed HB 4004 and offers it's support for the bill if amended.

HB 4004 proposes to establish a grant fund designed to bolster the behavioral health workforce by financially incentiving candidates for available positions and/or retaining existing employees. Given the COVID-19 pandemic impact on the mental health of individuals across the globe, including employees who have decided to exit the workforce early, this bill represents a welcome strategy to ensuring community mental health programs in Oregon can continue to provide the critical (and extensive) services they provide under ORS 430.630.

The Committee's job is to ensure the policy language within the measure is solid before moving this measure along to Ways and Means. We note two issue that we believe the Committee should address to avoid unintended consequences:

- Section 1 of the measure establishes that the grant fund can be used for retention bonuses and stipulates that a high percentage of an award should be used for these purposes. At issue is that a retention bonus is to be considered part of compensation under the Oregon Equal Pay Act of 2017, and under that act's equal pay mechanisms, an increase in pay for one employee leads to increases in pay for all employees within the employment class.

  House Bill 2818 from 2021 included temporary language to help employers with both hiring and retention bonuses temporarily, and it established that these bonuses would <u>not</u> be considered to be within the definition of compensation at ORS 652.210. While HB 2818's language sunsets on March 1, 2022, we believe this measure would benefit from a similar modifier to the definition of compensation under that statute.

- We ask that you consider extending the sunset of Section 1 of this measure to March 1, 2023 in order for a review of the efficacy of the fund and a possible renewal early in the 2023 Legislative Session.

With these changes we can fully support this measure being moved along to the Joint Ways and Means Committee.

<u>SUBMITTED ELECTRONCIALLY ON BEHALF OF THE LANE COUNTY BOARD OF COMMISSIONERS</u>