



OREGON HOUSE OF REPRESENTATIVES

November 11, 2023

To: Committee on Early Childhood and Human Services

Agency with Choice: Home Care Modernization Act

Chair Reynolds, Vice Chairs Nguyen and Scharf, and members of the Committee, my name is Ben Bowman, and I am the state representative for House District 25. Thank you for inviting me to speak about a bill my office will bring forward in 2024.

I want to sincerely thank SEIU and DHS for their work on this effort. My office has been working closely with both to ensure the solution addresses the immediate needs and is implementable.

First, a bit of context: When Measure 99 passed in 2000 it created a new commission ensuring quality home services to elderly and disabled Oregonians. This was an innovative approach to ensuring vulnerable Oregonians got the care they needed. Today, 23 years later, homecare workers continue to provide skilled care that allows parents, grandparents and people with disabilities to continue living at home. There is a lot to be proud of in our innovative system, including that workers have access to quality benefits like paid time off that works for them, retirement through OregonSaves, and great healthcare. In those 23 years, however, the systems we built have become out of date and started to fail those they are supposed to serve in other ways, workers and clients alike.

Since joining the legislature, I have heard from homecare workers about chronic payroll issues – workers being underpaid or not paid at all for their work because of complicated and outdated timekeeping processes. And when these payroll errors happen, workers have nowhere to turn to resolve these issues quickly. On top of outdated systems, there is no Human Resources department that can provide support or guidance. Since these workers don't have a formal structure around them and serve their clients directly when they have issues, they have to turn either to their union or their APD case manager. This places time-consuming administrative burdens on case managers, pulling them away from assessments, service coordination, and other duties that are central to the case management role. As lawmakers, we have a responsibility to fix this system. It's the right thing to do for our constituents – both the workers and the families who rely on home care.

There is also not a strong recruitment system, another effect of the lack of a centralized organization. This obviously impacts the ability of workers to find coverage for planned and unplanned absences. The process of becoming a home care worker can be confusing and inefficient for some workers—and there is a lot we can do to make these jobs better.



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Statewide, we have a massive shortage of home care workers, which means many eligible seniors are going without care. At the same time, trained and qualified homecare workers who want to work more hours can't connect with families who need their services, and are vulnerable to losing pay when their client is hospitalized, goes to a facility setting, or sadly, dies. We need to create stability for these workers if we expect them to stay in these difficult jobs.

There is room for improvement to ensure workers, seniors, and people with disabilities in our Medicaid program are better served by the systems the state administers. I have worked closely with DHS, SEIU, and the Governor's office on this proposal and I am excited to share why shifting to an Agency with Choice model will improve outcomes for both families and workers

Agency with Choice is a Medicaid-recognized service delivery model. In simple terms: where in our current system a home care worker is employed by the client they serve, in an Agency with Choice model they would be co-employed by the individual and a home care agency. This allows a consumer to have full control of their services without the administrative burden of serving as an employer. It adds support for workers and clients that currently do not exist in Oregon. This model exists in other states, including in Washington, where they recently shifted their entire system to this model.

I want to thank the great panel of experts from SEIU, DHS, and an Agency with Choice provider, Consumer Direct, for explaining this system and the proposed legislation

Thank you for bringing attention to this urgent issue.

Representative Ben Bowman