Senate Bill 602

Sponsored by Senator CAMPOS, Representative REYNOLDS; Senator PATTERSON, Representatives GRAYBER, NOSSE (Presession filed.)

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 as introduced.

Directs Commissioner of Bureau of Labor and Industries to appoint long term care wage board to examine factors that may present challenges to recruiting and retaining long term care employees.

Requires board to adopt recommended compensation schedule for long term care employees.

Requires board to submit annual report to commissioner. Allows commissioner to consider recommended schedule in establishing compensation rates for long term care employees.

A BILL FOR AN ACT

Relating to the long term care wage board.

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

SECTION 1. (1) The Commissioner of the Bureau of Labor and Industries shall appoint a long term care wage board to examine factors that may present challenges to recruiting and retaining long term care employees including, but not limited to, compensation, work schedules and other working conditions. The board shall consist of nine members appointed by the commissioner as follows:

(a) Three members who represent long term care employees;

(b) Three members who are employers who hire long term care employees; and

(c) Three members who represent the interests of individuals who receive long term care services.

(2) The commissioner may employ the services of a professional researcher to serve in an advisory capacity to the board.

(3) The board may employ and compensate employees and other advisors as the board deems necessary and appropriate. Members of the board shall receive such compensation as the board determines is necessary and shall be reimbursed for expenses they incur in the exercise of board duties.

(4) The term of a member of the board is two years. A member of the board may be re-appointed.

(5) After the appointment of the initial board members, successor board members shall be appointed by a majority vote of the board members, before the expiration of the term of a member, but not later than January 1 of each even-numbered year.

(6)(a) The board shall adopt rules for conducting meetings and any other rules as necessary for carrying out the duties of the board.

(b) All meetings of the board shall be held as public meetings, in all regions of the state, and the board shall receive oral and written testimony at the meetings.

(7) The board shall:

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

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(a) Evaluate and make findings regarding factors that may contribute to a shortage of a skilled long term care workforce including, but not limited to:

(A) Compensation rates;
(B) Lack of health care benefits or other paid benefits including, but not limited to, paid family leave, sick leave or retirement benefits; and
(C) Wage standards and minimum benefits for long term care workers who provide in-home and community-based services and supports and who are paid in whole or part with Medicaid or Medicare funds; and

(b) Make recommendations regarding:

(A) Strategies that define uniform standards for training and education for long term care employees;
(B) Proposed increases to the hourly minimum wage paid to long term care employees;
(C) Improvements to working conditions, including work schedules and workplace standards relating to safety; and
(D) An established prevailing wage rate for long term care employees who provide in-home and community-based services and supports and who are paid in whole or part with Medicaid or Medicare funds.

(8) In addition to the duties prescribed to the board under subsection (7) of this section, the board shall annually review the compensation rates paid to long term care employees in this state. The board shall prepare and approve by a majority vote a recommended compensation schedule for long term care employees.

(9)(a) The board shall submit to the commissioner no later than December 31 of each year a report that includes the findings and recommendations of the board. The board shall include in the annual report the recommended compensation schedule described in subsection (8) of this section.

(b) The commissioner shall, in consideration of the compensation schedule submitted under paragraph (a) of this subsection, establish by rule a minimum rate at which long term care employees shall be paid, provided that the rate established by the commissioner is not less than the hourly minimum wage rate that is required under ORS 653.025.

(10) As used in this section:

(a) “Long term care employee” means an employee or agent who provides long term care services:

(A) At a long term care facility; or
(B) That are in-home or community-based.

(b) “Long term care facility” has the meaning given that term in ORS 442.015.

SECTION 2. The long term care wage board shall submit the first report required under section 1 (9) of this 2023 Act no later than December 31, 2024.