

## SB 1565 STAFF MEASURE SUMMARY

### Senate Committee On Health Care

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**Prepared By:** Daniel Dietz, LPRO Analyst

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 2/12

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#### WHAT THE MEASURE DOES:

For children with very high medical and behavioral health needs who receive fewer than the average number of hours of attendant care, the measure directs the Oregon Department of Human Services to pay parents to provide attendant care services for the deficit number of hours.

#### Detailed Summary:

Defines “average utilization” as the average monthly hours of attendant care services utilized in a month by a service group. Defines “service group” as the cohort of children receiving attendant care services with very high behavioral health needs or very high medical needs. Defines “deficit number of hours” as the difference between the average utilization for a service group in a month and the actual number of hours of care provided to a child. Directs ODHS to ensure that every child in a service group receives attendant care services for the average number of hours for the service group by compensating parent providers to provide services for the deficit number of hours.

Prohibits ODHS from paying for fewer hours of attendant care services for each service group than the average utilization paid for the service group in the previous biennium. Restricts ODHS from making rules to limit the number of children eligible to participate in the program. Restricts ODHS from using moneys appropriated to compensate parent providers for any other purpose. Directs ODHS to pursue funding from any available federal authority by April 1, 2024. Takes effect on passage.

*FISCAL: Fiscal Impact Issued*

*REVENUE: No Revenue Impact*

#### ISSUES DISCUSSED:

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

[Senate Bill 91](#) (2023) directed the Department of Human Services to compensate parents for providing attendant care services to minor children who have very high medical or behavioral health needs. “Very high” means an extraordinary need for support due to a child’s behavioral or medical condition as indicated by a federally approved functional needs assessment ([ORS 427.191](#)). The Office of Developmental Disabilities Services (ODDS) submitted a Children’s Extraordinary Needs Waiver to the Centers for Medicare and Medicaid Services (CMS) on January 18, 2024 ([link](#) to waiver application).

According to the National Academy for State Health Policy, caregivers for children with high needs provide complex care tasks, including technical medical equipment (e.g., adjusting feeding tubes), support with occupational therapy, and symptom monitoring and management ([link](#) to NASHP brief (2021)). Caregivers themselves are more likely to experience health challenges and financial hardship ([link](#) to AARP report, Caregivers of Children (2009)). Caregivers said that financial support for the caregiving they provide is their most crucial need

*(ibid).*

PRELIMINARY