



*Oregon's Voice for Long Term Care & Senior Housing*

February 8, 2024

House Committee on Judiciary  
Oregon State Capitol  
900 Court St. NE  
Salem, OR 97301

***RE: Support for HB 4122, Improving Oregon's Background Check System***

Chair Kropf, Vice Chairs Anderson and Wallan, and Members of the Committee,

Oregon Health Care Association (OHCA) represents licensed long term care providers including skilled nursing facilities and assisted living, residential care, memory care, facilities, as well as in-home care agencies.

OHCA supports HB 4122 with the -1 and a forthcoming still underway. This bill is a necessary step forward in the years-long process of strengthening and modernizing Oregon's background check system and expanding access to safe, high quality care.

Our members struggle to get background checks returned for caregivers, commonly hearing about 30-45 day wait times. This exacerbates capacity constraints in all parts of the health care continuum but is acutely felt in long term care settings where a significant number of workers left employment during the pandemic. Long term care continues to lag other health care sectors in its workforce recovery.

This reality, combined with the fact that the percentage of Oregonians who will require long term care services is growing, means it is essential to reduce barriers to employment.

In 2015, the Legislature approved recommendations from the Elder Abuse Task Force, including establishing a voluntary "rap back" program. Rap back is a fingerprint-based system that allows for the state to continuously check enrolled employees' records against arrest or conviction information. This eliminates the need for background *re-checks*, reducing backlogs and wait times, and enhances consumer safety.

Oregon's statutes must be updated to align with the FBI's updated policy requirements for states to enroll in rap back. In light of those updates, forthcoming amendments to HB 4122 will require any authorized agency that wants to participate in rap back to *first* produce an implementation plan and secure resources to ensure that rap back can be successfully operationalized by the state.

OHCA urges your support of HB 4122 as amended this session. Thank you.

Sincerely,

Libby Batlan  
Senior Vice President of Government Relations  
Oregon Health Care Association