



Oregon

Tina Kotek, Governor

Office of Developmental Disabilities Services

500 Summer St NE

Salem, OR 97301



OREGON DEPARTMENT OF
Human Services

To: Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Senate Human Services Committee

From: Justin Withem, Legislative Coordinator, Office of Developmental Disabilities Services (ODDS), Oregon Department of Human Services

Subject: Follow-up responses from Sept. 30, 2025, agency presentation on Children's Extraordinary Needs Waiver

Date: October 10, 2025

Dear Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Committee:

At your hearing on September 30, 2025, during Oregon Department of Human Services' presentation titled, "Update on SB 91 (2023) Implementation---Children's Extraordinary Needs Waiver," there were two questions on which the Office of Developmental Disabilities Services (ODDS) wanted to follow up. Senator Gelser Blouin asked: whether Agency with Choice (or, in ODDS rules, "Employer Model Agency") providers would be able to hire parent providers for the Children's Extraordinary Needs (CEN) program under current statute; and whether ODDS would be able to implement a lower agency rate for parent providers than for non-parent providers without further legislative direction.

On the first question, regarding Employer Model Agency providers: under the language of SB 91 (2023), Employer Model Agencies will be able to hire parents to provide services to their children through the CEN program, because SB 91 applies to "agencies." SB 1521 (2024), the bill that directed ODDS to establish agency with choice services, refers to "*agencies* to be endorsed by the department to deliver agency with choice services," (emphasis added). Therefore, ODDS interprets Employer Model Agencies as being within the scope of SB 91.

Regarding changes to agency rates for parent providers, it would certainly be possible for ODDS to implement a different hourly attendant care rate for parent providers whose children are enrolled in the CEN program as compared to the agency rate paid for K Plan attendant care services. This could increase capacity in the program without any need for an

increased legislative appropriation. However, ODDS would hesitate to pursue such a change without legislative direction. The legislature has provided funding for ODDS's Medicaid provider reimbursement rate model without discussion of a single agency type potentially receiving different reimbursement rates for different categories of consumer or caregiver. Thus, ODDS believes that there would need to be a clarification of the legislative intent behind that rate model funding in order to make such a change.

For further information, please contact Justin Withem, ODHS Office of Developmental Disabilities Services Legislative Coordinator, at Justin.Withem2@odhs.oregon.gov.