

LC 38
2026 Regular Session
12/23/25 (JAS/ps)

D R A F T

SUMMARY

Digest: The Act would make new laws about a workforce standards board for some workers in the home and community-based services sector. (Flesch Readability Score: 60.6).

Establishes the Home and Community-Based Services Workforce Standards Board.

Prescribes the duties of the board. Directs the board to establish minimum working standards for the home and community-based services workforce. Requires the board to take certain actions before adopting proposed minimum standards. Directs certain state agencies to conduct a fiscal impact analysis to determine whether a proposed minimum standard will increase the fiscal obligations of the state, including an increase in Medicaid reimbursement rates.

Requires the board to report to the Legislative Assembly and to the Governor the increase in funding needed to implement the standard. Provides that a rule establishing a minimum standard may not take effect before the Legislative Assembly has appropriated funding and the board has received approval from the Centers for Medicare and Medicaid Services, if applicable.

Permits the Bureau of Labor and Industries to conduct investigations, issue subpoenas, administer oaths, obtain evidence and take testimony to make determinations regarding implementation and compliance with the minimum standards established by the board.

Provides remedies for allegations of violations of the minimum standards established by the board. Clarifies that relief may be sought for alleged violations no sooner than 90 days after a rule establishing a minimum standard takes effect.

Requires the board to conduct a quadrennial comprehensive review, including a labor market analysis to inform the board's decisions to adopt new minimum standards or revise existing standards.

Requires the board to submit a biennial report to the Governor and the Legislative Assembly summarizing the results of the comprehensive review and any actions taken by the board in the prior biennium.

Requires the online registry administered by the Department of Human Services to include workers from the home and community-based services

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

1 workforce.

2 Requires that any public hearing conducted by the board be accessible
3 through electronic or virtual means, if possible.

4 **A BILL FOR AN ACT**

5 Relating to the Home and Community-Based Services Workforce Standards
6 Board; creating new provisions; and amending ORS 192.670 and 443.517.

7 Whereas Oregonians who rely on home and community-based services
8 have the right to direct their services, exercise self-determination and inde-
9 pendent choice and live full lives in their communities; and

10 Whereas a stable, well-trained and respected workforce is essential to
11 ensuring access to services of choice, at the needed time and in the preferred
12 settings, for people with disabilities; and

13 Whereas the establishment of a workforce standards board for home and
14 community-based services strengthens the voices of consumers, families and
15 workers by providing a shared forum for problem solving, accountability and
16 continuous improvement across the home and community-based services sys-
17 tem; and

18 Whereas high-quality training, defined career pathways and professional
19 development opportunities for the home and community-based services
20 workforce directly improve the safety, dignity, independence and community
21 participation of individuals receiving home and community-based services;
22 and

23 Whereas community inclusion, equity and the core values of Oregon's
24 developmental disability system must guide the decisions that shape services
25 and supports; and

26 Whereas transparency, accessibility and meaningful participation of self-
27 advocates throughout all stages of policy development are essential to ad-
28 vancing equity and ensuring that decisions reflect the lived experiences of
29 individuals who rely on home and community-based services; and

30 Whereas taxpayers and the State of Oregon have a shared interest in the
31 efficient use of public resources to support high-quality services, adequate

1 staffing, fair compensation and sustainable benefits that reduce workforce
2 turnover and promote continuity of care; and

3 Whereas a responsive, coordinated home and community-based services
4 system requires alignment between the needs of individuals receiving home
5 and community-based services and the needs of the workforce that supports
6 them; now, therefore,

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

8

9 **DEFINITIONS**

10

11 **SECTION 1. Definitions.** As used in sections 1 to 13 of this 2026 Act:

12 (1) “Attendant care services” has the meaning given that term in
13 **ORS 427.191.**

14 (2) “Developmental disability child foster home” has the meaning
15 given that term in **ORS 443.830.**

16 (3)(a) “Direct care staff” means employees of a residential care fa-
17 cility, a residential training facility or a residential training home
18 whose primary responsibilities are to provide personal care services to
19 residents, including but not limited to:

20 (A) Administering medications;
21 (B) Coordinating resident-focused activities;
22 (C) Supervising and supporting residents;
23 (D) Supporting activities of daily living, including but not limited
24 to bathing, dressing, eating and transferring; and
25 (E) Serving but not preparing meals.

26 (b) “Direct care staff” does not include management-level staff, in-
27 cluding nurses, physicians and administrative staff.

28 (4) “Domiciliary care facilities” has the meaning given that term in
29 **ORS 443.205.**

30 (5) “Employer organization” means a nonprofit trade association
31 whose membership is composed of or includes entities that employ

1 **workers of the home and community-based services workforce in this**
2 **state.**

3 **(6)(a) “Home and community-based services workforce” includes the**
4 **following workers who provide long-term care services and supports:**

- 5 **(A) A home care worker, as defined in ORS 410.600;**
- 6 **(B) A personal support worker, as defined in ORS 410.600;**
- 7 **(C) A personal care attendant;**
- 8 **(D) A direct support professional, as defined in ORS 427.191;**
- 9 **(E) An individual providing in-home care services as an employee**
10 **of or under an arrangement or contract with an in-home care agency,**
11 **as defined in ORS 443.305;**
- 12 **(F) An individual providing attendant care services or personal care**
13 **services as an employee of an organization that provides:**
- 14 **(i) Agency with choice services, as defined in ORS 427.181; or**
- 15 **(ii) Agency with choice services, as defined in ORS 443.360; and**
- 16 **(G) Direct care staff.**

17 **(b) “Home and community-based services workforce” does not in-**
18 **clude:**

- 19 **(A) A private pay home care worker, as defined in ORS 410.600.**
- 20 **(B) Management-level staff, including nurses, physicians and ad-**
21 **ministrative staff.**

22 **(7) “In-home care services” has the meaning given that term in**
23 **ORS 443.305.**

24 **(8) “Labor organization” has the meaning given that term in ORS**
25 **663.005.**

- 26 **(9) “Personal care attendant” means an individual who:**
 - 27 **(a) Provides in-home care services to a person with a behavioral**
28 **health condition or disability; and**
 - 29 **(b) Meets the eligibility requirements established by rule by the**
30 **Oregon Health Authority in order to receive Medicaid reimbursement**
31 **for such services.**

1 (10) "Public hearing" means an open hearing conducted in accord-
2 ance with the requirements for a public meeting under ORS 192.610 to
3 192.705.

4 (11) "Residential care facility" means a residential care facility, as
5 defined in ORS 443.400, with a memory care endorsement under ORS
6 443.886 and an assisted living facility.

(12) "Residential training facility" and "residential training home" have the meanings given those terms in ORS 443.400.

9 (13) "Supported living services" means services that provide an in-
10 dividual with an intellectual or developmental disability the ability to
11 live in the community where the individual wants, with whom the in-
12 dividuals wants, for as long as the individual desires.

HOME AND COMMUNITY-BASED SERVICES WORKFORCE STANDARDS BOARD

17 **SECTION 2. Establishment; members; term; vacancies.** (1) There is
18 established the Home and Community-Based Services Workforce
19 Standards Board within the Department of Consumer and Business
20 Services. The purposes of the board are to:

21 (a) Strengthen and maintain a sufficient supply of a skilled home
22 and community-based services workforce by:

23 (A) Examining factors that may present challenges to recruiting
24 and retaining workers, including but not limited to compensation,
25 work schedules and other working conditions; and

26 (B) Addressing barriers that may impact the sustainability of the
27 workforce including affordability, access, quality and satisfaction re-
28 garding home and community-based services; and

29 **(b) Make recommendations to revise the minimum workforce stan-**
30 **dards established by the board under section 6 of this 2026 Act and**
31 **adopt new standards, as needed, to improve the working conditions of**

1 the home and community-based services workforce.

2 (2) The board shall consist of 11 members appointed as follows:

3 (a) Three members appointed by the Governor who represent the
4 home and community-based services workforce or labor organizations;

5 (b) Three members appointed by the Governor who represent em-
6 ployers of individuals of the home and community-based services
7 workforce or employer organizations;

8 (c) Two members appointed by the Governor who receive services
9 provided by the home and community-based services workforce;

10 (d) One member appointed by the Commissioner of the Bureau of
11 Labor and Industries who represents the bureau;

12 (e) One member appointed by the Governor who represents the
13 Department of Human Services; and

14 (f) One member appointed by the Governor who represents the
15 Oregon Health Authority.

16 (3) The appointments of the Governor under subsection (2)(a) to (c)
17 of this section:

18 (a) Shall be subject to confirmation by the Senate in the manner
19 provided by ORS 171.562 and 171.565.

20 (b) Must be individuals who, collectively, have current knowledge
21 and experience in the following home and community-based services
22 or care settings:

23 (A) In-home care services;

24 (B) Attendant care services;

25 (C) Supported living services;

26 (D) Residential care facilities;

27 (E) Residential training facilities or residential training homes;

28 (F) Developmental disability child foster homes; and

29 (G) Domiciliary care facilities.

30 (4) Members of the board shall comply with applicable state and
31 federal antitrust laws concerning anticompetitive behavior, including,

1 but not limited to, laws prohibiting collusion, price-fixing and other
2 unfair trade practices.

3 (5) The term of a member of the board is three years and the
4 member may be reappointed. An appointed member serves at the
5 pleasure of the appointing authority.

6 (6) Each successor board member shall be appointed by the ap-
7 pointing authority, before the expiration of the term of a member, but
8 not later than January 1 of each even-numbered year. If a vacancy
9 occurs for any cause before the expiration of the term of a member,
10 the appointing authority shall make an appointment to fill the va-
11 cancy, in the same manner as an appointment to a full term, to be-
12 come immediately effective for the unexpired term.

13 (7) The Governor shall appoint two members, one from each of the
14 appointments made under subsection (2)(a) and (b) of this section, to
15 serve as cochairs who shall preside over meetings on a quarterly ro-
16 tating basis, unless agreed upon otherwise by the cochairs.

17 (8) The Governor may appoint an executive director for the board
18 who is responsible for the performance of duties assigned by the board.
19 The executive director may employ appropriate staff to carry out the
20 duties assigned by the board.

21 **SECTION 3. Initial terms.** (1) All appointments to the board made
22 under section 2 of this 2026 Act must be completed on or before De-
23 cember 31, 2027.

24 (2) Notwithstanding the term of office specified by section 2 of this
25 2026 Act, of the members first appointed to the board:

- 26 (a) Four shall serve for a term ending January 1, 2029.
- 27 (b) Four shall serve for a term ending January 1, 2030.
- 28 (c) Three shall serve for a term ending January 1, 2031.

29 **SECTION 4. Initial staff support.** Notwithstanding section 2 (8) of
30 this 2026 Act, the executive director may employ no more than three
31 staff members to carry out the duties of the board during the

1 biennium immediately following the date by which board appointments
2 must be completed, as specified in section 3 of this 2026 Act.

3 **SECTION 5. Compensation; meetings.** (1) Members of the Home and
4 Community-Based Services Workforce Standards Board shall receive
5 such compensation as authorized under ORS 292.495.

6 (2) The board shall adopt rules for conducting meetings.

7 (3) A majority of members of the board constitutes a quorum for
8 the transaction of business.

9 (4) An affirmative vote by a majority of members of the board is
10 necessary for the board to take any action.

11 (5) The board shall meet once per calendar quarter at times and
12 places specified by the call of the cochairs.

13 (6) All meetings of the board shall be held as public meetings in
14 accordance with ORS 192.610 to 192.705.

15

16 DUTIES OF THE BOARD

17

18 **SECTION 6. Minimum workforce standards.** (1) Subject to sub-
19 sections (4), (5) and (6) of this section, the Home and Community-
20 Based Services Workforce Standards Board shall adopt rules
21 establishing minimum standards for the home and community-based
22 services workforce that are designed to improve the working condi-
23 tions of such workers and that may be tailored to specific categories
24 of worker types and across different care settings. The board may not
25 adopt any standards that:

26 (a) Are less protective of or beneficial to the home and
27 community-based services workforce than the standards provided un-
28 der any other applicable statute or rule; or

29 (b) Infringe on an individual's right to self-determination, as de-
30 fined in ORS 427.101.

31 (2) At a minimum, the standards must:

1 **(a) Set compensation rates for paying individuals in the home and**
2 **community-based services workforce, provided that the rates are not**
3 **less than the minimum wage rate established under ORS 653.025.**

4 **(b) Establish curriculum and criteria for providing education and**
5 **professional development opportunities and career pathways for the**
6 **home and community-based services workforce.**

7 **(c) Provide for the provision of health care benefits and other paid**
8 **benefits for the home and community-based services workforce, in-**
9 **cluding but not limited to paid family leave, sick leave and retirement**
10 **benefits.**

11 **(3) Before establishing any minimum standards under this section,**
12 **the board shall:**

13 **(a) Obtain and evaluate the following information in relation to the**
14 **home and community-based services workforce to ensure that the**
15 **standards adopted by the board meet or exceed prevailing labor market**
16 **conditions:**

17 **(A) Labor market data, including but not limited to:**
18 **(i) Wage levels and benefit data from comparable occupations and**
19 **industries within different geographic regions in this state;**
20 **(ii) Collective bargaining agreements applicable to workers in com-**
21 **parable occupations and industries within different geographic regions**
22 **in this state; and**
23 **(iii) Existing federal, state and local minimum standards for the**
24 **home and community-based services workforce;**

25 **(B) Industry profitability and economic data that includes:**
26 **(i) Total reimbursement spending within the home and**
27 **community-based services industry;**
28 **(ii) The distribution of reimbursement spending among direct care**
29 **labor costs, administrative and overhead costs and net income;**
30 **(iii) Average operating margins weighted by total revenue or service**
31 **hours delivered; and**

1 (iv) Disaggregation of the data described under this subparagraph
2 by entity type of the providers of home and community-based services;

3 (C) Testimony from current and former workers from the home and
4 community-based services workforce, labor organizations, employers
5 and other interested stakeholders, including individuals receiving de-
6 velopmental disability services and representatives from organizations
7 that represent the interests of such individuals;

8 (D) Data submitted by or obtained from state and local government
9 entities related to consumers of home and community-based services,
10 including service levels needed by consumers and consumers' ability
11 to timely access affordable home and community-based services; and

12 (E) Any other information the board deems relevant and reflective
13 of trends concerning the working conditions of the home and
14 community-based services workforce, consumer and family satisfac-
15 tion with home and community-based services and consumer access
16 to affordable home and community-based services.

17 (b) Hold at least one public hearing at which members of the public,
18 including workers in the home and community-based services
19 workforce, individuals receiving home and community-based services
20 and the individuals' family members, shall have the opportunity to
21 provide input on any matter relating to the minimum standards being
22 considered by the board.

23 (c) Consult with the director of the division of the Oregon Health
24 Authority that administers the state medical assistance program to
25 determine whether any minimum standards proposed by the board re-
26 quire the approval of the Centers for Medicare and Medicaid Services.

27 (d) Consult with the Home Care Commission to ensure that the
28 minimum standards proposed by the board do not conflict with any
29 rule or standard established by the commission pursuant to Article
30 XV, section 11, of the Oregon Constitution, or ORS 410.595 to 410.625.

31 (e) Consult with individuals receiving home and community-based

1 services, including self-advocates from diverse disability and aging
2 communities, to ensure that the proposed minimum standards relating
3 to curriculum and criteria described under subsection (2)(b) of this
4 section:

5 (A) Reflect and reinforce the values of self-determination, inde-
6 pendence and individual choice for individuals receiving home and
7 community-based services;

8 (B) Incorporate educational content that is designed or delivered
9 by individuals receiving home and community-based services or self-
10 advocacy organizations representing such individuals; and

11 (C) Address training and competency needs identified by individuals
12 receiving home and community-based services, including barriers that
13 limit access to high-quality services and concerns regarding the ade-
14 quacy and effectiveness of existing standards.

15 (4)(a) The Bureau of Labor and Industries, the Department of Con-
16 sumer and Business Services, the Department of Human Services and
17 the Oregon Health Authority shall conduct a fiscal impact analysis to
18 determine whether a proposed minimum standard of the board will
19 require any increase to state funding levels or otherwise result in an
20 increase in the fiscal obligations of the state, including but not limited
21 to an increase in Medicaid reimbursement rates.

22 (b) If a determination is made under paragraph (a) of this sub-
23 section that a proposed minimum standard will require any increase
24 to state funding levels or otherwise result in an increase in the fiscal
25 obligations of the state, the board shall report to the Legislative As-
26 sembly and to the Governor the increase in funding needed to imple-
27 ment the standard.

28 (c) If the Legislative Assembly appropriates less than what is nec-
29 essary for implementation and enforcement of the rule establishing
30 the minimum standard, the board shall amend or repeal the rule to
31 align the minimum standard with the level of funding appropriated by

1 the Legislative Assembly.

2 (5) If the director of the division of the Oregon Health Authority
3 that administers the state medical assistance program determines that
4 approval from the Centers for Medicare and Medicaid Services is nec-
5 essary to implement a minimum standard proposed by the board, the
6 authority shall seek the necessary approval.

7 (6) In no event may a rule establishing a minimum standard under
8 this section take effect before the Legislative Assembly appropriates
9 funding under subsection (4) of this section and the board has received
10 approval from the Centers for Medicare and Medicaid Services under
11 subsection (5) of this section, if applicable.

12 (7) All agencies of state government, as defined in ORS 174.111, are
13 directed to furnish to the board, in a timely manner and upon request,
14 information that the board considers necessary for the board to carry
15 out the board's duties under subsection (3) of this section, unless such
16 information is exempt from public disclosure under federal or state
17 law.

18 (8) Rules establishing minimum standards under this section shall
19 be adopted by the board in accordance with applicable provisions of
20 ORS chapter 183.

21 **SECTION 7. Comprehensive review.** (1) At least once every four
22 years, the Home and Community-Based Services Workforce Standards
23 Board shall conduct a comprehensive review of the minimum stan-
24 dards previously adopted by the board to determine whether the stan-
25 dards have continuing applicability or whether the board should adopt
26 new standards or revise the existing standards.

27 (2)(a) As part of the review, the board shall conduct a labor market
28 analysis of the working conditions for the home and community-based
29 services workforce that examines factors that may include, but need
30 not be limited to:

31 (A) Supply and demand estimates and projections for such workers;

- 1 **(B) Education, training and skill requirements;**
- 2 **(C) Compensation rates for the home and community-based services**
- 3 **workforce;**
- 4 **(D) Industry profits; and**
- 5 **(E) Professional development and training opportunities.**

6 **(b) In conducting the labor market analysis, the board shall con-**

7 **sider whether and to what extent the board's minimum standards re-**

8 **garding compensation rates for paying workers in the home and**

9 **community-based services workforce should be adjusted relative to the**

10 **Medicaid reimbursement rates for services provided by such workers.**

11 **Such a determination shall be made pursuant to a process specified**

12 **by the board by rule.**

13 **SECTION 8. Reporting.** **(1) The Home and Community-Based Ser-**

14 **vices Workforce Standards Board shall prepare and submit a biennial**

15 **report to the Governor and to the Legislative Assembly by June 30 of**

16 **each even-numbered year on the board's activities and recommen-**

17 **dations.**

18 **(2) The report must include, at a minimum:**

19 **(a) A statement of findings and conclusions of the most recently**

20 **completed comprehensive review required under section 7 of this 2026**

21 **Act, including recommendations:**

22 **(A) For statutory changes;**

23 **(B) For revisions to amounts appropriated to the board, if any; and**

24 **(C) For proposed adjustments to Medicaid reimbursement rates to**

25 **ensure that such rates directly correspond to the board's minimum**

26 **standards for compensation rates paid to the home and community-**

27 **based services workforce.**

28 **(b) A copy of the budget documents of the board showing:**

29 **(A) The Medicaid reimbursement rates for the home and**

30 **community-based services workforce; and**

31 **(B) Statements showing aggregate data regarding compensation**

1 paid and benefits provided to the home and community-based services
2 workforce.

3 (c) A description of the public hearing process used to inform the
4 minimum standards established by the board.

5 (d) A description of the current minimum standards established by
6 the board and recommended changes to the standards, along with any
7 supporting documentation for the proposed changes.

8 (e) The number and types of complaints or civil actions filed alleging
9 a violation of any of the standards established by the board, if any.

10 (f) A summary of all other actions taken during the prior biennium
11 in the performance of the board's statutory responsibilities that is
12 adequate to allow evaluation of the board's performance.

13

14 BOARD AUTHORITY

15

16 **SECTION 9. Investigative authority.** In order to determine any facts
17 relevant to matters concerning implementation of and compliance
18 with the minimum standards established by the Home and
19 Community-Based Services Workforce Board under section 6 of this
20 2026 Act, the Commissioner of the Bureau of Labor and Industries may
21 conduct investigations, issue subpoenas and subpoenas duces tecum,
22 administer oaths, obtain evidence and take testimony to the same extent
23 that the commissioner may exercise such authority with respect
24 to the bureau's duties as described under ORS 651.060.

25

26 WORKER PROTECTIONS

27

28 **SECTION 10. Retaliation prohibited.** It is an unlawful practice under
29 ORS chapter 659A for an employer to terminate, discipline, penalize,
30 retaliate or take any other adverse action against any worker from
31 the home and community-based services workforce because the worker

1 has:

2 (1) Inquired about or exercised any right afforded to a worker under
3 sections 1 to 13 of this 2026 Act or under any minimum standards es-
4 tablished by the board under section 6 of this 2026 Act.

5 (2) Participated in any process or proceeding under or related to
6 sections 1 to 13 of this 2026 Act, or has testified or is about to testify
7 in any such proceeding.

8 **SECTION 11. Remedies.** (1) No sooner than 90 days after a rule es-
9 tablishing a minimum standard under section 6 of this 2026 Act takes
10 effect, a worker from the home and community-based services
11 workforce or a labor organization may seek relief for an alleged vio-
12 lation of a minimum standard established by the Home and
13 Community-Based Services Workforce Standards Board under section
14 6 of this 2026 Act by:

15 (a) Commencing a civil action in the circuit court of appropriate
16 jurisdiction for injunctive relief, damages or other appropriate equi-
17 table relief against any person alleged to have violated a minimum
18 standard; or

19 (b) Filing a complaint with the Commissioner of the Bureau of La-
20 bor and Industries in the manner provided by ORS 659A.820, not later
21 than one year after the date of the alleged violation. In addition to any
22 other penalty provided by law, the Commissioner of the Bureau of
23 Labor and Industries may assess a civil penalty under ORS 183.745 not
24 to exceed \$1,000 for each violation of a minimum standard adopted by
25 the board under section 6 of this 2026 Act.

26 (2) Prior to commencing a civil action under subsection (1)(a) of
27 this section, the person alleging the violation shall provide written
28 notice to the person alleged to have violated the minimum standard
29 stating that the person shall have 30 days from receipt of the notice
30 to correct the alleged violation. A civil action may not be brought
31 against the person alleged to have violated the minimum standard if

1 the person has corrected the alleged violation within the time period
2 specified under this subsection.

3 (3) A labor organization may file a civil action under this section
4 only on behalf of workers from the home and community-based ser-
5 vices workforce whom the labor organization represents. A labor or-
6 ganization may not file a civil action on behalf of workers who are not
7 represented by the labor organization.

8 (4) Upon prevailing in an action under this section, the plaintiff
9 may recover actual damages and the court shall award reasonable at-
10 torney fees and costs to the prevailing plaintiff.

11 **SECTION 12. Limits.** Nothing in sections 1 to 13 of this 2026 Act is
12 intended to:

13 (1) Limit, interfere with or reduce the rights of any parties to a
14 collective bargaining agreement.

15 (2) Diminish the rights or remedies that are otherwise available to
16 a worker from the home and community-based services workforce
17 under federal or state law or regulation, including but not limited to
18 the right to file a wage claim under ORS 652.310 to 652.414.

19 **SECTION 13. Employer notice requirements.** (1) Each employer of
20 workers of the home and community-based services workforce shall
21 provide notice to the workers of the following:

22 (a) The rights of the workers with respect to the minimum stan-
23 dards established by the Home and Community-Based Services
24 Workforce Standards Board under section 6 of this 2026 Act.

25 (b) The duties and functions of the board.

26 (c) Contact information for each state agency responsible with
27 enforcement authority over matters that relate to the same subjects
28 over which the board has authority.

29 (2) The employer shall provide the notice required under this sec-
30 tion as follows:

31 (a) At the time of hire;

1 **(b) In the same language that the employer typically communicates**
2 **with the worker;**

3 (c) By posting the notice in a conspicuous location in the
4 workplace; and

5 (d) By sending the notice to the electronic mail address of each
6 worker of the employer.

7 (3) The board shall annually review and update the notice required
8 under this section insofar as necessary to reflect changes to any min-
9 imum standards that are adopted by the board.

MISCELLANEOUS

13 **SECTION 14.** ORS 443.517 is amended to read:

14 443.517. (1) The Department of Human Services shall maintain an online
15 [*home or community-based services caregiver*] registry **that is** accessible to
16 the public **and that lists home or community-based services caregivers**
17 **and workers**. The information to be displayed on the registry for each
18 caregiver **and worker, respectively**, shall be limited to the:

19 (a) Name of the caregiver **or worker**;

20 (b) County and, if applicable, city where the caregiver **or worker** resides;
21 (c)(A) Certification status of the caregiver under ORS 443.515 and any
22 endorsements earned by the caregiver; *[and]* **or**

23 **(B) Certification status of the worker and any endorsements earned**
24 **by the worker, if applicable; and**

25 (d) Criminal records check status of the caregiver or worker.

26 (2) The registry shall contain links to:

27 (a) Sites that explain the training requirements for the certification of
28 each type of home or community-based services caregiver described in ORS
29 443.515 (1)(b); and

(b) The home care registry, as defined in ORS 410.600, for members of the public to find home care workers.

1 (3) The department shall create a process for a home or community-based
2 services caregiver **or worker** to request to be excluded from the registry.

3 (4) The department shall prominently display a notice on the registry that
4 states that:

5 (a) Home or community-based services caregivers **and workers** may
6 choose not to be listed on the registry; and

7 (b) The registry is not an exclusive list of all home and community-based
8 services caregivers **and workers** that are qualified and trained in this state.

9 (5) The department may include on the registry disclaimers, user guidance
10 and other resources that the department deems appropriate to help users of
11 the registry.

12 (6) This section does not prohibit the department from requesting and
13 collecting from home or community-based services caregivers **and workers**
14 information in addition to the information that must be displayed on the
15 registry under subsection (1) of this section.

16 **(7) As used in this section, “worker” means an individual from the**
17 **home and community-based services workforce, as defined in section**
18 **1 of this 2026 Act.**

19 SECTION 15. ORS 192.670 is amended to read:

20 192.670. (1) Any meeting, including an executive session, of a governing
21 body of a public body which is held through the use of telephone or other
22 electronic communication shall be conducted in accordance with ORS 192.610
23 to 192.705.

24 (2) When telephone or other electronic means of communication is used
25 and the meeting is not an executive session, the governing body of the public
26 body shall make available to the public at least one place where, or at least
27 one electronic means by which, the public can listen to the communication
28 at the time it occurs. A place provided may be a place where no member
29 of the governing body of the public body is present.

30 (3) All meetings held by a governing body of a public body, excluding
31 executive sessions, must provide to members of the general public, to the

1 extent reasonably possible, an opportunity to:
2 (a) Access and attend the meeting by telephone, video or other electronic
3 or virtual means;
4 (b) If in-person oral testimony is allowed, submit during the meeting oral
5 testimony by telephone, video or other electronic or virtual means; and
6 (c) If in-person written testimony is allowed, submit written testimony,
7 including by electronic mail or other electronic means, so that the governing
8 body is able to consider the submitted testimony in a timely manner.

9 (4) The provisions of subsection (3) of this section:

10 (a) Apply to:

11 **(A) Hearings under ORS 197.797, 215.402 to 215.438 and 215.700 to 215.780**
12 regardless of whether a governing body or governing body's designee, in-
13 cluding a hearings officer, conducts the hearing; and

14 **(B) Public hearings under section 5 of this 2026 Act; and**

15 (b) Do not apply to contested case hearings under ORS chapter 183.

16 **SECTION 16.** **(1)(a) The Home and Community-Based Services**
17 **Workforce Standards Board shall consider the information related to**
18 **prevailing labor market conditions described under section 6 (3) of this**
19 **2026 Act no later than September 30, 2028.**

20 **(b) The board shall adopt rules establishing the initial minimum**
21 **standards under section 6 of this 2026 Act following completion of the**
22 **initial market study described in paragraph (a) of this subsection, but**
23 **not sooner than March 1, 2029.**

24 **(2) If, as a result of a fiscal impact analysis conducted under section**
25 **6 (4) of this 2026 Act, the Bureau of Labor and Industries, the De-**
26 **partment of Consumer and Business Services, the Department of Hu-**
27 **man Services or the Oregon Health Authority determines that a**
28 **proposed minimum standard will require any increase to state funding**
29 **levels or otherwise result in an increase in the fiscal obligations of the**
30 **state, the board shall report to the Legislative Assembly and to the**
31 **Governor the increase in funding needed to implement the standard.**

1 The rule establishing the standard may not take effect until the reg-
2 ular legislative session next following provided that an appropriation
3 has been made for purposes of implementing and enforcing the stand-
4 ard, in the regular legislative session next following.

5 **SECTION 17.** The unit and section captions used in this 2026 Act
6 are provided only for the convenience of the reader and do not become
7 part of the statutory law of this state or express any legislative intent
8 in the enactment of this 2026 Act.

9
