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March 5, 2025

Senate Committee on Human Services

Re: SB 1029
Caregiving Child Exception

Dear Chair Gelser Blouin, Vice Chair Linthicum, and committee members,

Kueny Law LLC writes in strong support of SB 1029 and the proposed amendments to ORS 411.620, 411.708, and 416.350 to better protect caregiving children. Our office specializes in long-term care planning, incapacity planning, and Medicaid benefit advocacy.

Caregiving children are adult children who move in with and care for their parents and provide invaluable and necessary assistance, preventing their parents from needing to move into long term care facilities, and/or needing to access Medicaid benefits for at least two years. In doing so, they often sacrifice employment opportunities and contributions to their own retirement, as well as other benefits that we receive from employment.

Presently, Oregon law allows parents to transfer their primary residence to a caregiving child without penalty. If title is not transferred prior to their death, the caregiving child has no protections and the home is subject to estate recovery. SB 1029 seeks to remove this limitation, ensuring the transfer can occur after the Medicaid recipient's passing. The proposed approach is equitable and allows all Oregonians the same protections. In a time that access to legal representation is limited it is vital that we ensure fair policies that seek to protect all Oregonians.

By preventing estate recovery against the home when a caregiving child survives, SB 1029 acknowledges their vital role, promotes fairness, and supports housing security. Caregiving children invest in their parents' homes—covering mortgages, taxes, and maintenance—while providing critical care that saves state resources and eases the burden on an already strained long-term care system.

Kueny Law urges you to support SB 1029!

Sincerely,

A handwritten signature in blue ink, appearing to read "Alana Hawkins".

Alana J. Hawkins, Managing Partner
Kueny Law LLC

A handwritten signature in black ink, appearing to read "Rebecca S. Kueny".

Rebecca S. Kueny, Managing Partner
Kueny Law LLC