



# Support House Bill (HB) 4115

## IMPROVE OREGON'S BACKGROUND CHECK SYSTEM

### **SIMPLER PROCESSES AND BETTER ACCESS TO CARE.**

#### **Issue Background**

Care workers who serve Medicaid beneficiaries in their homes and in community-based care settings are legally required to complete a criminal background check through the state's Background Check Unit (BCU). For years, advocates have sought to modernize this system and remove barriers while ensuring safeguards and quality care for consumers. Today, caregivers in long term care, disability services, and behavioral health often wait **weeks or even months** for a required background check before they can start working, leading many workers to seek employment in other fields. Additionally, workers must be rechecked every two years, adding to the already long waitlist. These bottlenecks worsen workforce shortages, strain providers, and limit access to care. The Centers for Medicare and Medicaid Services (CMS) requires re-checks every five years, unlike Oregon's two. Many states have a three-to-five year re-check standard, including Colorado, Indiana, Minnesota, and South Carolina.

The long-term solution to improving Oregon's background check system is to implement Rap Back, a FBI program that provides continuous criminal history monitoring through fingerprints, eliminating the need for rechecks. Until the resources are available to pay for Rap Back, Oregon must continue to make incremental progress toward streamlining and improving the system.

#### **Policy Solutions in HB 4115**

- **Extend the Background Re-Check Cycle to Three Years:** HB 4115 extends the re-check cycle from two years to three years for homecare workers, personal support workers, caregivers in community-based care facilities, and more, aligning Oregon with many other states' recheck policy, allowing BCU to speed up workforce entry, and maintaining safety of individuals receiving services.
- **Expand Background Checks Portability:** "Portability" means the ability of a subject individual to use one approved background check for a defined period for immediate hirability for a position offered by a qualified entity within a group as determined by the Department. Caregivers employed by in-home care agencies are already subject to a three-year recheck cycle, which means those employees do not have portability to other settings where they would perform similar work. HB 4115 aligns background check rules for caregivers across more settings and thereby expands portability. This simple change reduces duplication and accelerates hiring.

# Support House Bill (HB) 4115 cont.

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### Improving Credentialing

- HB 4115 lifts the burden on behavioral health providers by ensuring reimbursement for services rendered, supporting qualified practitioners to generate revenue from the onset of their employment.
- HB 4115 represents a substantial improvement related to credentialing for behavioral health providers and agencies in Oregon by supporting payment from a behavioral health practitioner for qualified services that are provided on or after the date that a complete application is submitted to the Oregon Health Authority (OHA).
- With this improvement in place, behavioral health agencies will receive payment for appropriate services rendered, even when there is a delay in the credentialing process at OHA.



ASSOCIATION OF OREGON  
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HEALTH PROGRAMS



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