

## SB 1505 –2 Amendment: Section by Section Explanation of Forthcoming Amendment

### **Overview**

The forthcoming amendment to SB 1505 makes two categories of changes. First, it narrows the scope of the bill to focus exclusively on intellectual and developmental disability (IDD) services overseen by the Office of Developmental Disabilities Services (ODDS), removing all Aging and People with Disabilities (APD) licensed settings. Second, it incorporates feedback from stakeholders, disability advocates, and legislators to strengthen provisions around accessibility, provider diversity, and implementation.

### **Scope Change: Narrowing to IDD Services**

**What it does:** The amendment removes all APD licensed settings and associated workforce from the bill's coverage. The Workforce Standards Board will apply only to workers and providers in the ODDS system.

**Workers still covered:** Group home workers, in-home DD workers, supported living workers, personal support workers (PSWs) in the DD system, and agency with choice workers in ODDS (as defined in ORS 427.18).

**Workers no longer covered:** Home care workers (as defined in ORS 410.600), personal care attendants, employees of in-home care agencies (as defined in ORS 443.305), workers in memory care facilities, assisted living facilities, and residential care facilities under APD, and APD agency with choice workers (as defined in ORS 443.360).

Adult foster homes remain excluded - same is introduced SB 1505 but a change from last time.

**Related minor changes:** Board membership language is updated so that the two consumer representatives are people who receive ODDS services provided by the IDD workforce (page 6, line 8-9). Settings listed in board composition provisions are narrowed to DD only (page 6, line 20-29). The word "aging" is removed from page 11, line 1.

### **Preamble Changes**

**New "Whereas" clause on provider diversity**

**What it does:** Adds a new clause recognizing that the diversity of providers, including small nonprofits and those serving rural communities, strengthens consumer choice and geographic access. Affirms the state's interest in supporting high quality providers of all sizes.

**Why:** Responds to concerns from smaller and rural providers that the bill could disproportionately affect them. Establishes legislative intent that the board should consider the full range of providers when setting standards.

### **"People with disabilities" language**

**What it does:** Replaces "self advocates" with "people with disabilities" on page 2, line 26-27.

### **Supported living services (Section 1(13), page 5, lines 9-10)**

**What it does:** Replaces "provide" with "support" and deletes "the ability." The definition now reads: services that *support* an individual with an intellectual or developmental disability *to live in the community* where the individual wants, with whom the individual wants, for as long as the individual desires.

### **Section 2: Board Composition and Purpose**

#### **Board purpose language (page 5, line 25)**

**What it does:** Amends the board's charge to specify that it will examine factors that may present challenges to recruiting and retaining workers, "including but not limited to compensation and workforce conditions and standards that are managed by agency employers, work schedules and other working conditions."

**Why:** Clarifies that the board's focus is on conditions within the control of agency employers, not factors outside their influence.

#### **Diversity among employer representatives (new Section 2(3)(c))**

**What it does:** Requires the Governor to ensure that employer representatives on the board collectively reflect the diversity of providers in the state, specifically including nonprofit providers, providers serving rural, frontier, or underserved communities, and providers delivering multiple service types.

**Why:** Addresses concerns that the board could be dominated by large or urban providers. Ensures that small, rural, and nonprofit providers have a meaningful voice in setting standards that will apply to them.

### **Section 5: Board Meetings and Materials**

#### **Accessibility requirements**

**What it does:** Requires the board to ensure all materials are available in plain language format accessible to individuals with IDD, and that all meetings are held in locations and formats that support full participation of people with IDD.

**Why:** People with IDD are directly affected by the board's decisions and must be able to meaningfully participate. This provision ensures accessibility is built into the board's operations from the start

## **Section 6: Standards Development**

### **Disability justice principles (page 7, line 4)**

**What it does:** Adds that training curriculum and criteria developed by the board must be "consistent with disability justice principles."

**Why:** Grounds the board's training standards in an established framework that centers the rights, dignity, and self-determination of people with disabilities.

### **Impact on diverse provider types (new Section 6(3)(f))**

**What it does:** Requires the board to consider the impact of proposed minimum standards on providers of varying sizes and types when developing standards. Specifically, the board must:

- (A) Evaluate whether proposed standards may disproportionately burden small or financially constrained providers;
- (B) Consider whether phased implementation timelines, technical assistance, or other supports may be necessary to enable compliance without compromising service availability; and
- (C) Assess the relationship between proposed wage and benefit standards and current Medicaid reimbursement rates, and include specific recommendations for reimbursement rate adjustments in any report to the Legislative Assembly.

**Why:** This is a critical provision that directly addresses two major concerns. First, it protects small, nonprofit, and rural providers by requiring the board to evaluate whether standards could unintentionally harm the providers who are already doing good work. Second, it formally connects the board's wage and benefit standards to Medicaid reimbursement rates, ensuring that any recommendations to the Legislature include the funding necessary to support compliance. This answers the opposition's concern that standards without funding are meaningless by building the funding conversation directly into the board's mandate.

## **Section 15: Advisory Committee Meetings**

**What it does:** Adds that advisory committee meetings must be accessible to people with IDD.

**Why:** Consistent with the accessibility requirements added to Section 5. Ensures that accessibility extends to all public facing functions of the board, not just full board meetings.