



February 2nd, 2026 – Opposition to SB 1505: Submitted by Branden Walters on behalf of Essential Services LLC

To: Chair Jama, Vice-Chair Starr, and Members of the Senate Committee on Rules,

Regarding: Opposing SB 1505, which would establish the Home and Community-Based Workforce Standards Board

My name is Branden Walters, and I am the Compliance Manager at Essential Services LLC, one of the state-certified Standard Model Agencies that provide in-home and community-based supports to the amazing individuals in our Intellectual/Developmental Disability (I/DD) community here in Oregon. I had the privilege of connecting with some of you last year during the 2025 Legislative Session and subsequently reached out to some of you regarding concerns about HB 3838 over the session, but today I would like to ask a different question.

Why is this bill coming back during a period in which our principal agencies are looking into potentially cutting services that would impact one of Oregon's highest-needs populations and when the rate models that support these individuals are still not fully funded? The same entities that are advocating for this board to be passed are the same individuals who collectively bargained and managed to *bar the State from advocating for any additional rate increases for Private Agencies during the 2023-2025 biennium until the legislatively mandated rate study was finalized, as outlined in the 2023-2025 SEIU/OHCC Collective Bargaining Agreement*¹.

I am providing verbal testimony on behalf of our provider agency, the Direct Support Professionals (DSPs) that we employ, and the clients that we provide in-home and community-based supports to through Attendant Care, Day Support Activities, and Respite Care services. Essential Services LLC stands to oppose SB 1505 with the main concern that implementing a workforce standards board would severely impact the foundations of I/DD services as person-centered by reducing the variety of choices that an individual with disabilities would be able to choose from by negatively impacting provider agencies, residential care facilities, group homes, and other privately owned entities. These concerns are driven by the administrative power this board would have that supersedes the standard administrative procedures under guidance from the Oregon Department



of Disabilities Services (ODDS) and the Oregon Department of Human Services (ODHS) through the wide variety of Oregon Administrative Rules (OARs) that we are expected to follow.

To preface our opposition, we agree that additional oversight is needed from ODDS to ensure that every paid support that an individual in the I/DD community receives is driven through person-centered regulations that ensure all aspects of provider care are done ethically, professionally, and legally, through various ways and means that can ensure these individuals have the ability to choose all aspects of how their care is provided, including what type of provider they would like to work with. We also agree that all providers should have access to fair wages, benefits, and trainings through ongoing oversight from the State of Oregon in ensuring that private entities are providing employees with these supports.

During the 2025 Session, the LFO recommendation on provider rates for I/DD in the 25-27 biennium was finalized. While it was a win for most of the service elements to get some form of rate increases in the budget, it was deeply concerning that PSW supports won a \$75 million SPA for rate increases while having a 37% increase in the last 5 years while in-home agency rates were described as 'sufficient' with a 14% increase over the last 5 years. This is paramount when the recommended DSP wage is currently \$18.38/hr; but most agencies pay over \$21-22/hr while still also offering benefits. There are so many different types of overhead costs that aren't included in the current rate models. Representatives Diehl and Scharf touched on this a lot in the various testimonies that I have heard them speak on last year.

Due to this, agencies have still been increasing their wages across the board. We increased our starting hourly rate for DSPs well over the industry standard after the biennium was put into place, which was the entirety of the COLA adjustment that went into agency rate increases that doesn't cover any overheads for costs such as our mandated paid training or the benefits that we offer our employees. The rate study was expressed to be completed in September 2024 and while it was finished October 2024, the report itself wasn't released until January 2025. During the rate study, comments were even made that agency rates should be reduced and that this funding should go to PSWs and HCWs instead while expressing the need for the Workforce Standards Board in question. How can a board create an economically viable workforce if the union that is lobbying



for the board to be implemented has prevented private agencies from paying their employees more?

While private agencies do receive more funding; we pay more than just employee wages. There are benefits such as insurance and 401k plans, paid time off, and additional expenditures such as the 24 hours of paid training that Standard Model Agencies provide each employee; of which we do not receive any additional funding for. Our rates vary from individual to individual, and there are people we support that live in group homes for whom we only receive \$17.79/hr for community-based Day Support Activities. We actually lose money on every overnight respite shift worked with a client, but we continue to keep these services in place to help the I/DD community as they need these supports to remain in place. Attendant care is the most common service code and while those rates are higher (between \$34.99-42.24/hr depending on the agency model), there are so many different costs that go into the reasoning for these funds.

Our main concern with SB 1505 revolves around this board's perceived stance on equality and equity amongst service provider types. *According to ODDS, over the last five years, DSP supports have outweighed PSW supports*². This is a shift in how in-home services are being delivered and requires equitable supports for both the public and private sectors to thrive. As expressed in the previously mentioned note on the OHCC-SEIU 2023-2035 Collective Bargaining Agreement which halted agencies from receiving rate increases until the rate study was completed, *multiple comments made about the rate study in 2024 showed dissatisfaction for DSP rate increases while advocating for PSW/HCW increases instead*³.

This concern is mirrored by the upcoming implementation of the Employer Model Agency endorsement in the I/DD field, which is set to replace the previous CLS endorsement. The EMA endorsement was originally described as 'Agency With Choice', which has been noted with concerns identified from previous concerns in the 2024 Legislative Session *that this agency endorsement could potentially force providers in the private sector to pay union dues without protections from Harris v. Quinn*⁴.



While most of these concerns have carried over from HB 3838 last year, SB 1505 presents a new concern with board equity due to the fact that APD is no longer a part of this bill. In previous years, the Workforce Standards Board has been proposed to be the solution for both I/DD and APD. But now in 2026, this board is being proposed almost identically from last year, but only half of the actual representation? During the 2025 Legislative Session, our I/DD community's voice resonated that HB 3838 was not the answer with a total of 154 supporting testimonies, 3 neutral stances, and 801 opposition testimonies.

Essential Services LLC opposes SB 1505 as it would impact the individuals in the community by putting agencies at risk of not being able to provide the higher level of supports that we are endorsed and certified to provide through additional funding provided from state and federal funds. Oregon's I/DD community support needs have been growing at a very fast pace over the last decade and some individuals prefer the ability to just communicate with their Personal Support Workers (PSWs), their relevant Case Management Entity, Employer of Record, and Designated Representative; while there are also individuals who truly enjoy having Direct Support Professionals (DSPs) and agency staff available to provide additional resources such as events, activities, visiting with staff, and having an additional communication support asides from their relevant Case Management Entity.

With the growing number of individuals receiving I/DD services increasing each and every year while the I/DD field continues to struggle with workforce shortages, we believe that continuing to keep the pre-existing structure in place to have different service models can provide the person-centered approach these services are meant to accomplish. Disability care services should always be first and foremost set up to ensure that individuals have the right to choose where their care is provided, who provides that care to them, and what that freedom of choice looks like to them. From living in a group home, working with a PSW, or signing on with a provider agency to receive supports from DSPs, other support methods, and even sometimes multiple combinations of these supports, our community can continue thriving and growing while we work in tandem. These services and structures are still growing as our community strives to do better than in the days of institutions.



In conclusion, we humbly consider that you vote NO on SB 1505 in the coming days while ODDS continues to improve oversight and accountability of all support models while ensuring that both sides of the employment network can have equitable supports that truly maintain the standard of person-centered care. I implore you to please take some time to watch ***In the Shadow of Fairview***⁵ so that ensuring these person-centered supports remains at the forefront of I/DD legislation by ensuring both the public and private sectors can equitably sustain the direct care workforce that takes care of our amazing I/DD community.

As an employee in the I/DD field and an ongoing advocate for continuous growth and development in the I/DD community, thank you for taking the time to read this.

Sincerely,

Branden Walters

Compliance Manager

Essential Services LLC



¹ **SEIU/OHCC and Oregon Home Care Commission.** 2023-2025 *Collective Bargaining Agreement.* 2023. Oregon Department of Human Services. <https://www.oregon.gov/odhs/providers-partners/homecare-workforce/Documents/2023-2025-seiu-ohcc-contract.pdf>

² **Office of Developmental Disabilities Services (ODDS).** 2025 *Joint Ways and Means Subcommittee on Human Services Presentation.* Oregon Department of Human Services. 2025. <https://www.oregon.gov/odhs/about/legislativeinformation/2025-wm-odds.pdf>

³ **Oregon Department of Human Services (ODHS), Office of Developmental Disabilities Services (ODDS) and Aging and People with Disabilities (APD).** *APD-ODDS Rate and Wage Study - Public Comments and Initial Findings* (materials inviting and reporting public feedback on rate study recommendations). Burns & Associates presentation and related provider notices, October 2024. Available at: https://www.healthmanagement.com/wp-content/uploads/Wage-and-Rate-Study-Presentation-of-Initial-Recommendations_2024-10-07_v2.pdf and provider feedback notices.

⁴ **Scharf, Anna.** *HB 4129 Opinion.* Oregon Legislature. 2024. <https://www.oregonlegislature.gov/scharf/Documents/HB%204129%20Opinion.pdf>

⁵ **Oregon Public Broadcasting (OPB).** *In the Shadow of Fairview.* Oregon Experience documentary examining Oregon's institutional history and its impact on individuals with intellectual and developmental disabilities. 2020. Available at: <https://www.opb.org/article/2020/11/16/oregon-history-in-the-shadow-of-fairview-documentary/>