

LC 4239
2019 Regular Session
PRIORITY
3/13/19 (LHF/ps)

D R A F T

SUMMARY

Requires Oregon Health Authority and Department of Human Services to design program for providing limited benefit package of financial assistance, services and supports to individuals who receive care from family members, friends or neighbors who are not compensated for providing care. Requires authority to apply for federal approval as necessary to secure federal financial participation in cost of limited benefit package. Requires department to appoint and convene advisory committee, with specified membership, to advise on design of program and limited benefit package and on application for federal approval.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to unpaid caregivers; and declaring an emergency.

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

SECTION 1. (1) As used in this section and section 2 of this 2019

Act:

(a) “Care recipient” means an individual who:

(A) Is 55 years of age or older;

(B) Has a chronic illness or disabling condition that requires a nursing facility level of care;

(C) Has income below 400 percent of the federal poverty guidelines;

and

(D) Does not qualify for medical assistance, as defined in ORS 414.025.

(b) “Unpaid caregiver” means a family member, friend or neighbor of a care recipient who provides uncompensated in-home care to the

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 care recipient.

2 (2) The Oregon Health Authority, in collaboration with the Depart-
3 ment of Human Services and based on the advice of the advisory
4 committee convened under section 2 of this 2019 Act, shall:

5 (a) Design a program for a limited benefit package to be provided
6 to care recipients that includes:

7 (A) A stipend of up to \$500 per month;

8 (B) A combination of supports and services such as care coordi-
9 nation, respite care, durable medical equipment or training and edu-
10 cation for unpaid caregivers; and

11 (C) Other supports and services necessary to preserve and enhance
12 the quality of life of care recipients and to prevent or delay their need
13 for more costly institutional or in-home and community-based care.

14 (b) No later than March 31, 2020, apply for approval from the Cen-
15 ters for Medicare and Medicaid Services in the manner most appro-
16 priate to secure federal financial participation in the cost of the
17 limited benefit package designed under paragraph (a) of this sub-
18 section.

19 (3) No later than December 1, 2020, the department shall report to
20 the Legislative Assembly, in the manner provided in ORS 192.245, on
21 the status of the application described in subsection (2)(b) of this sec-
22 tion and legislative changes, if any, that are necessary to implement
23 the program described in subsection (2)(a) of this section.

24 SECTION 2. The Department of Human Services shall appoint and
25 convene an advisory committee to study and make recommendations
26 to the department and to the Oregon Health Authority on the design
27 of the program, the limited benefit package and the application for
28 federal approval, as described in section 1 of this 2019 Act. The advi-
29 sory committee must include, but is not limited to, individuals repre-
30 senting:

31 (1) The authority;

- 1 **(2) Area agencies, as defined in ORS 410.040;**
2 **(3) The Home Care Commission; and**
3 **(4) Stakeholders including care recipients, unpaid caregivers, long**
4 **term care providers and adult day care providers.**

5 **SECTION 3.** **Sections 1 and 2 of this 2019 Act are repealed on July**
6 **1, 2021.**

7 **SECTION 4.** **This 2019 Act being necessary for the immediate pres-**
8 **ervation of the public peace, health and safety, an emergency is de-**
9 **clared to exist, and this 2019 Act takes effect on its passage.**

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