

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 669 - 8

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Kim To
Reviewed by: Tom MacDonald, Laurie Byerly
Date: June 12, 2019**Measure Description:**

Modifies requirements for licensing of in-home care agencies.

Government Unit(s) Affected:

Oregon Health Authority (OHA), Department of Human Services (DHS)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

| | 2019-21 Biennium | 2021-23 Biennium |
|---|------------------|------------------|
| Oregon Health Authority - General Fund | | |
| Personal Services | 283,366 | 689,619 |
| Services and Supplies | 116,221 | 184,686 |
| Total General Fund - Oregon Health Authority | \$399,587 | \$874,305 |
| Positions | 4 | 4 |
| FTE | 1.64 | 4.00 |
| Department of Human Services - General Fund | | |
| Services and Supplies | 125,000 | |
| General Fund - Department of Human Services | \$125,000 | |
| Department of Human Services - Federal Funds | | |
| Services and Supplies | \$125,000 | |
| Federal Funds - Department of Human Services | \$125,000 | |
| Total Funds - Department of Human Services | \$250,000 | |
| Total General Fund | 524,587 | 874,305 |
| Total Federal Funds | 125,000 | 0 |
| TOTAL FISCAL IMPACT | \$649,587 | \$874,305 |
| Positions | 4 | 4 |
| FTE | 1.64 | 4.00 |

Analysis:

SB 669 with the -8 amendment directs the Oregon Health Authority (OHA) to establish by rule training requirements that must be met before an individual may provide in-home care services. The training standards must require a minimum number of hours of orientation and assessment of competency before a home care worker or personal support worker is permitted to provide home care services to a client. The minimum number of hours may be greater for home care workers who will be providing enhanced care and services, such as medication management. The bill changes the time between on-site inspections conducted by OHA of licensed

in-home care agencies from 3 years to 2 years. The bill authorizes OHA to impose a civil penalty and deny, suspend, or revoke the license of any in-home care agency for failure to comply to training requirements and employment or wage laws.

The bill requires the Department of Human Services (DHS) to develop recommendations for methods to assess and monitor home care services provided by home care workers. The recommendations may include electronic monitoring and on-site assessment and monitoring of home care workers providing care in their clients' homes. DHS must report its recommendation to the Legislature by February 1, 2021.

The -A8 amendment makes clarifying changes and directs the Department of Human Services (instead of the Home Care Commission) to develop recommendations for methods to assess and monitor home care services provided by home care workers. The -A8 amendment does not change the original fiscal determination.

Oregon Health Authority (OHA)

OHA estimates the fiscal impact of this bill to be \$399,587 General Fund and four positions (1.64 FTE) for the 2019-21 biennium; and \$874,305 General Fund and four positions (4.00 FTE) for the 2021-23 biennium. The bill changes the time between on-site inspections conducted by OHA of licensed in-home care agencies from 3 years to 2 years. In addition to the increase in number of inspection surveys, OHA anticipates an increase in the number of complaints as well as an increase in the scope of the re-licensure surveys to include the Bureau of Labor Industries (BOLI) adjudications and other employment actions. The increased scope of surveys will require additional survey time during the initial licensure and may generate additional complaints. In order to carry out the increase workload, OHA anticipates establishing four permanent full-time positions:

- One Operations & Policy Analyst 3 position to provide outreach, education, and training for surveyors and stakeholders. The position will organize and coordinate surveys included in the inspection, conduct peer review of site visit reports to ensure standards are applied in a uniform manner, and prepare enforcement cases for the Department of Justice (DOJ).
- Two Client Care Surveyors to work with existing staff in the field conducting the visits and writing reports.
- One Administrative specialist 1 position to provide administrative support including handling complaint intake and triage, providing customer service to applicants and licensees, processing license requests and license changes, and scheduling surveys for technical staff.

In order to have the requirements of the bill operative on Jan 1, 2021, the Operations & Policy Analyst 3 position would be hired July 2020 and the other three positions October 2020. In addition to staffing, the fiscal pricing includes a projected 150 hours of additional DOJ billing for consultation and representation related to enforcement issues.

Department of Human Services (DHS)

DHS estimates the fiscal impact of this bill to be \$250,000 Total Funds [\$125,000 General Fund and \$125,000 Federal Funds] for the 2019-21 biennium. This amount is the projected cost of contracting with an external vendor to develop recommendations for methods to assess and monitor home care services and can be electronic monitoring and on-site assessments, as required by the bill.