

**A-Engrossed**  
**Senate Bill 1035**

Ordered by the Senate April 16  
Including Senate Amendments dated April 16

Sponsored by COMMITTEE ON HUMAN SERVICES

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Oregon Health Authority and Department of Human Services to design program for providing limited benefit package of [*financial assistance,*] services and supports to individual who receives care from family member[, *friend or neighbor*] **or other individual who has close relationship with care recipient, as defined by department by rule**, who is 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) Has income below 400 percent of the federal poverty guidelines;**

**(B) Does not qualify for medical assistance, as defined in ORS 414.025; and**

**(C)(i) Is 55 years of age or older and has a chronic illness or disabling condition that requires nursing facility level of care; or**

**(ii) Is under 55 years of age and has been diagnosed with dementia.**

**(b) "Unpaid caregiver" means an individual who provides uncompensated in-home care to a care recipient and who is:**

**(A) A family member of the care recipient; or**

**(B) Another individual who is in a close relationship with the care recipient, as defined by the Department of Human Services by rule.**

**(2) The Oregon Health Authority, in collaboration with the department and based on the advice of the advisory committee convened under section 2 of this 2019 Act, shall:**

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

**(A) Up to \$500 per month in supports or services such as care coordination, respite care, durable medical equipment or training and education for unpaid caregivers; and**

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

**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       **(b) No later than June 30, 2020, apply for approval from the Centers for Medicare and**  
2 **Medicaid Services in the manner most appropriate to secure federal financial participation**  
3 **in the cost of the limited benefit package designed under paragraph (a) of this subsection.**

4       **(3) No later than December 31, 2020, the department shall report to the Legislative As-**  
5 **sembly, in the manner provided in ORS 192.245, on the status of the application described in**  
6 **subsection (2)(b) of this section and legislative changes, if any, that are necessary to imple-**  
7 **ment the program described in subsection (2)(a) of this section.**

8       **SECTION 2. The Department of Human Services shall appoint and convene an advisory**  
9 **committee to study and make recommendations to the department and to the Oregon Health**  
10 **Authority on the design of the program, the limited benefit package and the application for**  
11 **federal approval, as described in section 1 of this 2019 Act. The advisory committee must**  
12 **include, but is not limited to, individuals representing:**

13       **(1) The authority;**

14       **(2) Area agencies, as defined in ORS 410.040;**

15       **(3) The Home Care Commission; and**

16       **(4) Stakeholders including care recipients, unpaid caregivers, long term care providers**  
17 **and adult day care providers.**

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

19       **SECTION 4. This 2019 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
21 **on its passage.**

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