



Presentation to the Senate Human Services, Mental Health & Recovery Committee for 2022 Legislative Session

# Presentation on SB 1548

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# Outline

## Transparency and Accountability in Intellectual and Developmental Disabilities (I/DD) Services (aka SB 1548)

- Background
- Process
- Recommendations
- Questions

# Background

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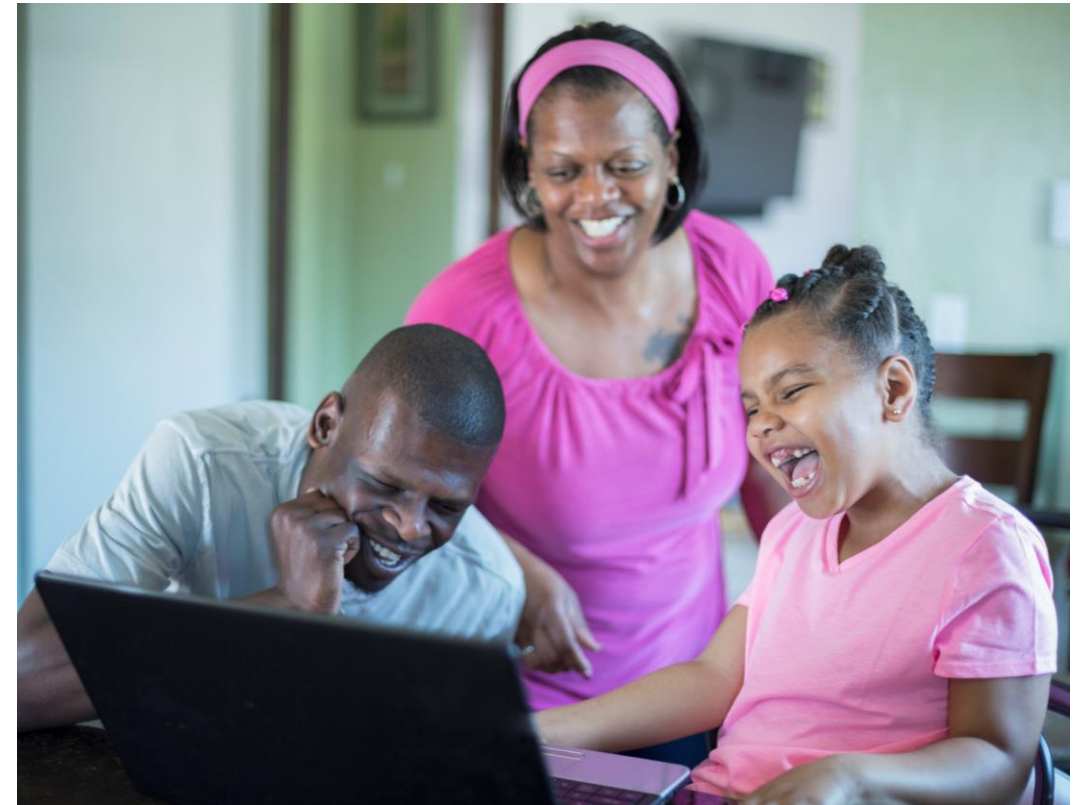
- Last year, ODDS committed to submitting a report to the legislature that proposes statutory changes to improve the state’s ability to ensure provider transparency, accountability, safety and quality standards.
- ODDS completed the report, “Oregon Department of Human Services Provider Accountability Report,” on Dec. 30, 2021.
- ODDS identified nine key recommendations for improvement.



# Process to create the report

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- Analyzed current statutory authority, Oregon Administrative Rules (OARs) and accountability measures
- Compiled strategies and recommendations to allow ODDS greater ability to assess provider performance and ensure transparency
- Sought and incorporated feedback from partners, providers, Residential Facilities Ombudsman and other stakeholders
- Compiled Provider Accountability Report to propose these nine recommendations to the Legislature



# Recommendations and legislative proposals

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## 1. Direct Support Professional (DSP) wage reporting

- Statutory authority to require staffing data reporting, including DSP compensation and other employment-related benefits, to apply to all agency services and settings
- Important to collect workforce demographic data in Oregon to ensure workforce equity

## 2. Provider agency executive compensation

- Statutory authority to require all provider types to report executive compensation and benefits
- At a minimum, compensation of the top five executives with information about agency fiscal operations and direct-care staffing compensation
- Include demographics of executive team to help inform efforts to support the growth and expansion of agencies that serve underserved communities of color and tribal families



# Recommendations and legislative proposals

## 3. Annual provider fiscal reporting

- Statutory authority to require annual fiscal reporting by agencies to ODDS regarding agency overhead, expenditures, compensation and other relevant fiscal measures

## 4. Require standard rate increases to be passed to through direct care workforce in form of wages and compensation

- Currently exists in group homes
- Statutory authority to expand this requirement to all provider agency services and settings



# Recommendations and legislative proposals

## 5. Licensing fee schedules

- Statutory authority to set licensing fees with adjustments for inflation and reflect the importance of serving people with I/DD
- Allow flexibility, if needed, to waive or lower fees for applications to encourage capacity and growth in underserved areas
- Expand authority to impose fees for all Medicaid agencies

## 6. Increase and consolidate civil penalties

- Consolidation of civil penalties with residential training homes and residential training facilities to be included under ORS 427.900 and remove them from the other statutory inclusion under 443.455 and 441.731
- Direct the department to establish rules that address fees schedules or impose civil penalties based on severity of violation



# Recommendations and legislative proposals

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## 7. Revocation and surrender of license, certification or endorsement

- Statutory authority to establish conditions when a provider may be prohibited from applying for licensing, certificate or endorsement

## 8. Provider performance in other locations

- Current law, SB 86, clarifies the Department's authority to evaluate the history to a provider, including performance in locations outside of Oregon, but only in licensing of 24-hour residential homes (ORS 443.420).
- Expand this authority to other provider types and settings

## 9. Organizational history

- Statutory authority to require up to ten years of organization history reporting in new provider applications and renewals







# Questions?

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