

Senate Bill 602

Sponsored by Senator CAMPOS, Representative REYNOLDS; Senator PATTERSON, Representatives GRAYBER, NOSSE (Pre-session filed.)

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 **as introduced**.

Directs Commissioner of Bureau of Labor and Industries to appoint long term care wage board to examine factors that may present challenges to recruiting and retaining long term care employees.

Requires board to adopt recommended compensation schedule for long term care employees. Requires board to submit annual report to commissioner. Allows commissioner to consider recommended schedule in establishing compensation rates for long term care employees.

A BILL FOR AN ACT

1
2 Relating to the long term care wage board.

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

4 **SECTION 1. (1) The Commissioner of the Bureau of Labor and Industries shall appoint**
5 **a long term care wage board to examine factors that may present challenges to recruiting**
6 **and retaining long term care employees including, but not limited to, compensation, work**
7 **schedules and other working conditions. The board shall consist of nine members appointed**
8 **by the commissioner as follows:**

9 (a) **Three members who represent long term care employees;**

10 (b) **Three members who are employers who hire long term care employees; and**

11 (c) **Three members who represent the interests of individuals who receive long term care**
12 **services.**

13 (2) **The commissioner may employ the services of a professional researcher to serve in**
14 **an advisory capacity to the board.**

15 (3) **The board may employ and compensate employees and other advisors as the board**
16 **deems necessary and appropriate. Members of the board shall receive such compensation as**
17 **the board determines is necessary and shall be reimbursed for expenses they incur in the**
18 **exercise of board duties.**

19 (4) **The term of a member of the board is two years. A member of the board may be re-**
20 **appointed.**

21 (5) **After the appointment of the initial board members, successor board members shall**
22 **be appointed by a majority vote of the board members, before the expiration of the term of**
23 **a member, but not later than January 1 of each even-numbered year.**

24 (6)(a) **The board shall adopt rules for conducting meetings and any other rules as neces-**
25 **sary for carrying out the duties of the board.**

26 (b) **All meetings of the board shall be held as public meetings, in all regions of the state,**
27 **and the board shall receive oral and written testimony at the meetings.**

28 (7) **The board shall:**

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 (a) Evaluate and make findings regarding factors that may contribute to a shortage of
2 a skilled long term care workforce including, but not limited to:

3 (A) Compensation rates;

4 (B) Lack of health care benefits or other paid benefits including, but not limited to, paid
5 family leave, sick leave or retirement benefits; and

6 (C) Wage standards and minimum benefits for long term care workers who provide in-
7 home and community-based services and supports and who are paid in whole or part with
8 Medicaid or Medicare funds; and

9 (b) Make recommendations regarding:

10 (A) Strategies that define uniform standards for training and education for long term
11 care employees;

12 (B) Proposed increases to the hourly minimum wage paid to long term care employees;

13 (C) Improvements to working conditions, including work schedules and workplace stan-
14 dards relating to safety; and

15 (D) An established prevailing wage rate for long term care employees who provide in-
16 home and community-based services and supports and who are paid in whole or part with
17 Medicaid or Medicare funds.

18 (8) In addition to the duties prescribed to the board under subsection (7) of this section,
19 the board shall annually review the compensation rates paid to long term care employees in
20 this state. The board shall prepare and approve by a majority vote a recommended compen-
21 sation schedule for long term care employees.

22 (9)(a) The board shall submit to the commissioner no later than December 31 of each
23 year a report that includes the findings and recommendations of the board. The board shall
24 include in the annual report the recommended compensation schedule described in sub-
25 section (8) of this section.

26 (b) The commissioner shall, in consideration of the compensation schedule submitted
27 under paragraph (a) of this subsection, establish by rule a minimum rate at which long term
28 care employees shall be paid, provided that the rate established by the commissioner is not
29 less than the hourly minimum wage rate that is required under ORS 653.025.

30 (10) As used in this section:

31 (a) “Long term care employee” means an employee or agent who provides long term care
32 services:

33 (A) At a long term care facility; or

34 (B) That are in-home or community-based.

35 (b) “Long term care facility” has the meaning given that term in ORS 442.015.

36 **SECTION 2.** The long term care wage board shall submit the first report required under
37 section 1 (9) of this 2023 Act no later than December 31, 2024.

38