

SB 1073 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/13

WHAT THE MEASURE DOES:

The measure establishes the Family Home Health Aide Program in the Oregon Health Authority (OHA) to enable family caregivers to become certified as family home health aides. The measure directs OHA to develop a training program for family home health aides; specifies the certification requirements, authorizations, and limitations on services to be provided by family home health aides; authorizes OHA to develop a clinical acuity tool; requires reimbursement for family home health aide services through the state medical assistance program; and requires biennial reports to the legislature.

Detailed Summary:

Family Home Health Aide Program

- Establishes the Family Home Health Aide Program in OHA.
- Directs OHA, in consultation with the Oregon State Board of Nursing, to develop a training program to prepare family caregivers to become certified as family home health aides and specifies the content of the training program.
- Specifies the requirements for OHA to certify family caregivers as family home health aides.
- Authorizes OHA to adopt rules for implementation.

Services Provided by Family Home Health Aides

- Permits home care provider agencies to employ family home health aides.
- Specifies additional requirements for clinical supervision and recertifying an individual's care plan.
- Specifies requirements, authorizations, and limitations on services to be provided by family home health aides.
- Specifies additional requirements for OHA to ensure that an individual retains access to other services in addition to care from a family home health aide.

Clinical Acuity Tool

- Authorizes OHA to collaborate with stakeholders to develop a clinical acuity tool for determining the care needs of medically fragile individuals
- Authorizes OHA to use the tool in assessing the appropriateness of family home health aide services for an individual's care plan.

Respite Care and Medical Assistance Reimbursement

- Directs OHA to establish a respite care program for family home health aides, private duty nurses, and home health aides.
- Requires OHA and coordinated care organizations (CCOs) to provide up to 40 hours of fee-for-service reimbursement for family home health aide services in the state medical assistance program.

Legislative Report

- Requires OHA to submit and publish biennial reports to the legislature and specifies report contents.

Operative and Effective Dates

- Becomes operative January 1, 2026 but authorizes OHA to take necessary action ahead of the operative date.

- Effective on the 91st day following adjournment sine die.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Older adults and individuals with disabilities may require assistance with activities of daily living such as dressing, bathing, grooming, and eating, as well as medical or nursing care. In many cases, family members act as unpaid caregivers to provide support for these individuals when professional in-home care is not available or has not yet been considered. Currently, the Oregon Department of Human Services operates the [Family Caregiver Support Program](#), which is [authorized](#) and partially funded by the federal [Older Americans Act](#). Since 2000, this program has provided training, counseling, and respite care for individuals who provide in-home care for their family members.

For individuals in need of professional care, in-home care is an alternative to institutional care in an assisted living or skilled nursing facility. Depending on the individual's needs and level of care required, in-home care options can include privately hiring a personal support worker ([ORS 410.595 to 410.632](#)) or working through an in-home care provider agency ([ORS 443.305 to 443.350](#)) or a home health care agency ([ORS 443.014 to 443.105](#)). In-home services are covered under the Oregon Health Plan, Oregon's Medicaid program. Under [Oregon's Medicaid State Plan](#), reimbursements for home health services are based on 74% of the most recent Medicare cost report, while personal support worker reimbursements are collectively bargained and in-home care agency reimbursements are at market rate.