

SB 133 A STAFF MEASURE SUMMARY

Senate Committee On Human Services

Action Date: 04/09/25

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 4-1-0-0

Yeas: 4 - Gelser Blouin, Nash, Prozanski, Reynolds

Nays: 1 - Linthicum

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Matthew Perreault, LPRO Analyst

Meeting Dates: 3/27, 4/9

WHAT THE MEASURE DOES:

The measure requires the Oregon Department of Human Services (ODHS) to make annual adjustments to payments made to contracted provider agencies that provide services for individuals with intellectual or developmental disabilities (IDD) to account for inflation.

Detailed Summary

- Defines “community living support” as attendant care, skills training, and relief care.
- Defines “day support activities” as attendant care delivered during scheduled, structured activities in a nonresidential setting that focuses on maintaining or enhancing the skills needed by an individual with an intellectual or developmental disability to engage in the individual’s community.
- Defines “direct support professional” as an employee of a provider agency who provides attendant care to individuals receiving employment services, supported living services, day support activities, in-home or community living support services or services in a residential training facility or residential training home.
- Defines “employment services” as individualized, evidence-based services provided to an individual with an intellectual or developmental disability to assist the individual in choosing, securing, and retaining work in an integrated employment setting.
- Defines “supported living services” as services that provide an individual with an intellectual or developmental disability the ability to live in the community where the individual wants, with whom the individual wants, for as long as the individual desires.
- Defines "provider agency" as an entity that provides
 - services to individuals in residential training facilities or residential training homes,
 - in-home services,
 - supported living services,
 - employment services,
 - day support activities, or
 - community living support.
- Requires ODHS to calculate and make adjustments to payments to contracted provider agencies that provide services through direct support professionals to individuals with IDD based on the U.S. City Average Consumer Price Index for All Urban Consumers.
- Requires that contracts between ODHS and provider agencies include annual adjustments based on the above calculation.
- Specifies that calculations be made annually by April 30 and must take effect on July 1 of the same year.

ISSUES DISCUSSED:

- Background of the rate and wage study for providers for 24-hour residential care for intellectual and developmental disabilities services

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- Provider agencies that are not covered under a collective bargaining agreement
- Fiscal impact of the measure
- Services provided by these agencies

EFFECT OF AMENDMENT:

The amendment replaces the measure.

BACKGROUND:

A budget note attached to [Senate Bill 5506 \(2023\)](#) directed the Oregon Department of Human Services (ODHS) to conduct a comprehensive rate and wage study across home and community-based service (HCBS) delivery systems, with a focus on providers of in-home and residential care to individuals receiving services through the [Office of Developmental Disabilities Services \(ODDS\)](#) and the [Office of Aging and People with Disabilities \(APD\)](#), and report back to either the Joint Committee on Ways and Means or the Emergency Board. HCBS provides eligible individuals with services and supports in their own homes and communities as an alternative to institutional care. These services are provided by direct care workers, including direct support professionals and personal care workers, and are delivered in a variety of settings including in the recipients' home, foster homes, and assisted living facilities. APD coordinates services for older adults and adults with physical disabilities, while ODDS coordinates services for people with intellectual or developmental disabilities.

DHS hired Burns & Associates, part of the Health Management Associates, to conduct the study and produce a report on the results along with recommendations. The [final report](#) was published on December 31, 2024, along with a [summary](#) of findings and recommendations. The Legislative Fiscal Office published an [analysis](#) as a forward to the study report prior to a presentation to the Joint Committee on Ways and Means. The analysis highlighted several recommendations from the report and provided estimated annual fiscal impacts of study recommendations.