

Enrolled
Senate Bill 1168

Sponsored by Senator CAMPOS, Representatives NOSSE, NELSON; Senators GELSER BLOUIN, GORSEK, MANNING JR, MEEK, PROZANSKI, REYNOLDS, Representatives GAMBA, HUDSON, MUNOZ, NERON, RUIZ, WALTERS

CHAPTER

AN ACT

Relating to per-visit compensation for home health care entities; creating new provisions; and amending ORS 652.260.

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

SECTION 1. ORS 652.260 is amended to read:

652.260. (1) **As used in this section:**

(a) **“Home health care staff” means individuals who provide home health services. “Home health care staff” does not include:**

- (A) **Home care workers, as defined in ORS 410.600;**
- (B) **Direct caregivers employed by an in-home care agency as defined in ORS 443.305;**
- (C) **Physicians;**
- (D) **Nurse practitioners;**
- (E) **Psychiatrists;**
- (F) **Psychologists;**
- (G) **Volunteers; or**
- (H) **Individuals classified as a supervisor under an applicable collective bargaining agreement or certified as a supervisor by the National Labor Relations Board or the Employment Relations Board.**

(b) **“Home health services” has the meaning given that term in ORS 443.014.**

(c) **“Home hospice care staff” means individuals who provide home hospice services. “Home hospice care staff” does not include:**

- (A) **Home care workers, as defined in ORS 410.600;**
- (B) **Direct caregivers employed by an in-home care agency as defined in ORS 443.305;**
- (C) **Physicians;**
- (D) **Nurse practitioners;**
- (E) **Psychiatrists;**
- (F) **Psychologists;**
- (G) **Volunteers; or**
- (H) **Individuals classified as a supervisor under an applicable collective bargaining agreement or certified as a supervisor by the National Labor Relations Board or the Employment Relations Board.**

(d) "Home hospice services" means hospice services that are furnished to an individual by home hospice care staff in a place of temporary or permanent residence used as the individual's home for the purpose of maintaining that individual at home.

(e) "Hospice services" has the meaning given that term in ORS 443.850.

(f) "Term or condition of employment" includes bonuses, productivity-based pay raises and disciplinary procedures.

[(1)] (2) A home health agency providing home health services may not compensate [a nurse] home health care staff providing home health services for the agency on a per-visit basis.

[(2)] (3) A hospice program providing hospice services may not compensate [a nurse] home hospice care staff providing hospice services for the program on a per-visit basis.

(4) For purposes of this section, compensation shall be considered to be on a per-visit basis if paid in connection with any term or condition of employment that is directly or indirectly related to or based in whole or in part on:

(a) The total number of patients served by a home health care staff person or a home hospice care staff person; or

(b) The number of visits made to patients by a home health care staff person or a home hospice care staff person.

[(3)(a)] (5)(a) The Bureau of Labor and Industries shall enforce compliance with the provisions of this section.

(b) In accordance with the provisions of ORS chapter 183, the Commissioner of the Bureau of Labor and Industries may adopt rules to carry out the provisions of this section.

SECTION 2. Notwithstanding any other provision of law, the General Fund appropriation made to the Bureau of Labor and Industries by section 1, chapter _____, Oregon Laws 2025 (Enrolled House Bill 5015), for the biennium beginning July 1, 2025, is increased by \$159,362, to enforce compliance with the provisions under section 1 of this 2025 Act prohibiting per-visit compensation for home health care staff and home hospice care staff.

Passed by Senate June 23, 2025

.....
Obadiah Rutledge, Secretary of Senate

.....
Rob Wagner, President of Senate

Passed by House June 26, 2025

.....
Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

.....
Tobias Read, Secretary of State