

HB 3838-7  
(LC 4619)  
6/2/25 (JAS/RH/ps)

Requested by Representative FAHEY

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3838**

On page 1 of the printed bill, line 2, before the period insert “; creating new provisions; and amending ORS 192.670 and 443.517”.

Delete lines 4 through 21 and delete pages 2 through 7 and insert:

**“DEFINITIONS**

**“SECTION 1. Definitions. As used in sections 1 to 12 of this 2025 Act:**

**“(1) ‘Adult foster home’ has the meaning given that term in ORS 443.705.**

**“(2) ‘Attendant care services’ has the meaning given that term in ORS 427.191.**

**“(3) ‘Community-based structured housing’ has the meaning given that term in ORS 443.480.**

**“(4) ‘Developmental disability child foster home’ has the meaning given that term in ORS 443.830.**

**“(5)(a) ‘Direct care staff’ means employees of an adult foster home, a residential care facility, a residential training facility or a residential training home whose primary responsibilities are to provide personal care services to residents, including but not limited to:**

**“(A) Administering medications;**

1       **“(B) Coordinating resident-focused activities;**

2       **“(C) Supervising and supporting residents;**

3       **“(D) Supporting activities of daily living, including but not limited**  
4 **to bathing, dressing, eating and transferring; and**

5       **“(E) Serving but not preparing meals.**

6       **“(b) ‘Direct care staff’ does not include management-level staff,**  
7 **including nurses, physicians and administrative staff.**

8       **“(6) ‘Domiciliary care facilities’ has the meaning given that term**  
9 **in ORS 443.205.**

10       **“(7) ‘Employer organization’ means a nonprofit trade association**  
11 **whose membership is composed of or includes entities that employ**  
12 **workers of the home and community-based services workforce in this**  
13 **state.**

14       **“(8)(a) ‘Home and community-based services workforce’ includes**  
15 **the following workers who provide long-term care services and sup-**  
16 **ports:**

17       **“(A) A home care worker, as defined in ORS 410.600;**

18       **“(B) A personal support worker, as defined in ORS 410.600;**

19       **“(C) A personal care attendant;**

20       **“(D) A direct support professional, as defined in ORS 427.191;**

21       **“(E) An individual providing in-home care services as an employee**  
22 **of or under an arrangement or contract with an in-home care agency,**  
23 **as defined in ORS 443.305;**

24       **“(F) An individual providing attendant care services or personal**  
25 **care services as an employee of an organization that provides:**

26       **“(i) Agency with choice services, as defined in ORS 427.181; or**

27       **“(ii) Agency with choice services, as defined in section 1, chapter**  
28 **37, Oregon Laws 2024; and**

29       **“(G) Direct care staff.**

30       **“(b) ‘Home and community-based services workforce’ does not in-**

clude:

“(A) A private pay home care worker, as defined in ORS 410.600.

“(B) Management-level staff, including nurses, physicians and administrative staff.

“(9) ‘In-home care services’ has the meaning given that term in ORS 443.305.

“(10) ‘Labor organization’ has the meaning given that term in ORS 663.005.

“(11) ‘Personal care attendant’ means an individual who:

“(a) Provides in-home care services to a person with a behavioral health condition or disability; and

“(b) Meets the eligibility requirements established by rule by the Oregon Health Authority in order to receive Medicaid reimbursement for such services.

“(12) ‘Public hearing’ means an open hearing conducted in accordance with the requirements for a public meeting under ORS 192.610 to 192.705.

“(13) ‘Residential care facility’ has the meaning given that term in ORS 443.400.

“(14) ‘Residential training facility’ and ‘residential training home’ have the meanings given those terms in ORS 443.400.

“(15) ‘Supported living services’ means 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 individuals wants, for as long as the individual desires.

## **“HOME AND COMMUNITY-BASED SERVICES WORKFORCE STANDARDS BOARD**

**“SECTION 2. Establishment; members; term; vacancies. (1) There**

1 is established the Home and Community-Based Services Workforce  
2 Standards Board within the Department of Consumer and Business  
3 Services. The purposes of the board are to:

4 “(a) Strengthen and maintain a sufficient supply of a skilled home  
5 and community-based services workforce by:

6 “(A) Examining factors that may present challenges to recruiting  
7 and retaining workers, including but not limited to compensation,  
8 work schedules and other working conditions; and

9 “(B) Addressing barriers that may impact the sustainability of the  
10 workforce including affordability, access, quality and satisfaction re-  
11 garding home and community-based services; and

12 “(b) Make recommendations to revise the minimum workforce  
13 standards established by the board under section 5 of this 2025 Act and  
14 adopt new standards, as needed, to improve the working conditions of  
15 the home and community-based services workforce.

16 “(2) The board shall consist of 11 members appointed as follows:

17 “(a) Three members appointed by the Governor who represent the  
18 home and community-based services workforce or labor organizations;

19 “(b) Three members appointed by the Governor who represent em-  
20 ployers of individuals of the home and community-based services  
21 workforce or employer organizations;

22 “(c) Two members appointed by the Governor who represent the  
23 interests of individuals who receive services provided by the home and  
24 community-based services workforce, including representatives from  
25 organizations that represent such interests;

26 “(d) One member appointed by the Commissioner of the Bureau of  
27 Labor and Industries who represents the bureau;

28 “(e) One member appointed by the Governor who represents the  
29 Department of Human Services; and

30 “(f) One member appointed by the Governor who represents the

**Oregon Health Authority.**

**“(3) The appointments of the Governor under subsection (2)(a) to (c) of this section:**

**“(a) Shall be subject to confirmation by the Senate in the manner provided by ORS 171.562 and 171.565.**

**“(b) Must be individuals who, collectively, have current knowledge and experience in the following home and community-based services or care settings:**

**“(A) In-home care services;**

**“(B) Attendant care services;**

**“(C) Supported living services;**

**“(D) Adult foster homes;**

**“(E) Residential care facilities, including facilities with a memory care endorsement under ORS 443.886 and assisted living facilities;**

**“(F) Residential training facilities or residential training homes;**

**“(G) Developmental disability child foster homes;**

**“(H) Domiciliary care facilities; and**

**“(I) Community-based structured housing.**

**“(4) Members of the board shall comply with applicable state and federal antitrust laws concerning anticompetitive behavior, including, but not limited to, laws prohibiting collusion, price-fixing and other unfair trade practices.**

**“(5) The term of a member of the board is three years and the member may be reappointed. An appointed member serves at the pleasure of the appointing authority.**

**“(6) Each successor board member shall be appointed by the appointing authority, before the expiration of the term of a member, but not later than January 1 of each even-numbered year. If a vacancy occurs for any cause before the expiration of the term of a member, the appointing authority shall make an appointment to fill the va-**

1 cancy, in the same manner as an appointment to a full term, to be-  
2 come immediately effective for the unexpired term.

3 “(7) The Governor shall appoint two members, one from each of the  
4 appointments made under subsection (2)(a) and (b) of this section, to  
5 serve as cochairs who shall preside over meetings on a quarterly ro-  
6 tating basis, unless agreed upon otherwise by the cochairs.

7 “(8) The Governor may appoint an executive director for the board  
8 who is responsible for the performance of duties assigned by the board.  
9 The executive director may employ appropriate staff to carry out the  
10 duties assigned by the board.

11 “SECTION 3. Initial terms. (1) All appointments to the board made  
12 under section 2 of this 2025 Act must be completed on or before De-  
13 cember 31, 2026.

14 “(2) Notwithstanding the term of office specified by section 2 of this  
15 2025 Act, of the members first appointed to the board:

16 “(a) Four shall serve for a term ending January 1, 2028.

17 “(b) Four shall serve for a term ending January 1, 2029.

18 “(c) Three shall serve for a term ending January 1, 2030.

19 “SECTION 3a. Initial staff support. Notwithstanding section 2 (8)  
20 of this 2025 Act, the executive director may employ no more than three  
21 staff members to carry out the duties of the board during the  
22 biennium immediately following the date by which board appointments  
23 must be completed, as specified in section 3 of this 2025 Act.

24 “SECTION 4. Compensation; meetings. (1) Members of the Home  
25 and Community-Based Services Workforce Standards Board shall re-  
26 ceive such compensation as authorized under ORS 292.495.

27 “(2) The board shall adopt rules for conducting meetings.

28 “(3) A majority of members of the board constitutes a quorum for  
29 the transaction of business.

30 “(4) An affirmative vote by a majority of members of the board is

1 necessary for the board to take any action.

2 “(5) The board shall meet once per calendar quarter at times and  
3 places specified by the call of the cochairs.

4 “(6) All meetings of the board shall be held as public meetings in  
5 accordance with ORS 192.610 to 192.705.

6  
7 **“DUTIES OF THE BOARD**  
8

9 **“SECTION 5. Minimum workforce standards. (1) Subject to sub-**  
10 **sections (4), (5) and (6) of this section, the Home and Community-**  
11 **Based Services Workforce Standards Board shall adopt rules**  
12 **establishing minimum standards for the home and community-based**  
13 **services workforce that are designed to improve the working condi-**  
14 **tions of such workers and that may be tailored to specific categories**  
15 **of worker types and across different care settings. The board may not**  
16 **adopt any standards that:**

17 **“(a) Are less protective of or beneficial to the home and**  
18 **community-based services workforce than the standards provided un-**  
19 **der any other applicable statute or rule; or**

20 **“(b) Infringe on an individual’s right to self-determination, as de-**  
21 **finied in ORS 427.101.**

22 **“(2) At a minimum, the standards must:**

23 **“(a) Set compensation rates for paying individuals in the home and**  
24 **community-based services workforce, provided that the rates are not**  
25 **less than the minimum wage rate established under ORS 653.025.**

26 **“(b) Establish curriculum and criteria for providing education and**  
27 **professional development opportunities and career pathways for the**  
28 **home and community-based services workforce.**

29 **“(c) Provide for the provision of health care benefits and other paid**  
30 **benefits for the home and community-based services workforce, in-**

cluding but not limited to paid family leave, sick leave and retirement benefits.

“(3) Before establishing any minimum standards under this section, the board shall:

“(a) Obtain and evaluate the following information in relation to the home and community-based services workforce to ensure that the standards adopted by the board meet or exceed prevailing labor market conditions:

“(A) Labor market data, including but not limited to:

“(i) Wage levels and benefit data from comparable occupations and industries within different geographic regions in this state;

“(ii) Collective bargaining agreements applicable to workers in comparable occupations and industries within different geographic regions in this state; and

“(iii) Existing federal, state and local minimum standards for the home and community-based services workforce;

“(B) Testimony from current and former workers from the home and community-based services workforce, labor organizations, employers and other interested stakeholders;

“(C) Data submitted by or obtained from state and local government entities related to consumers of home and community-based services, including service levels needed by consumers and consumers’ ability to timely access affordable home and community-based services; and

“(D) Any other information the board deems relevant and reflective of trends concerning the working conditions of the home and community-based services workforce, consumer and family satisfaction with home and community-based services and consumer access to affordable home and community-based services.

“(b) Hold at least one public hearing at which members of the



1 public, including workers in the home and community-based services  
2 workforce, shall have the opportunity to provide input on any matter  
3 relating to the minimum standards being considered by the board.

4 “(c) Consult with the director of the division of the Oregon Health  
5 Authority that administers the state medical assistance program to  
6 determine whether any minimum standards proposed by the board re-  
7 quire the approval of the Centers for Medicare and Medicaid Services.

8 “(d) Consult with the Home Care Commission to ensure that the  
9 minimum standards proposed by the board do not conflict with any  
10 rule or standard established by the commission pursuant to Article  
11 XV, section 11, of the Oregon Constitution, or ORS 410.595 to 410.625.

12 “(4)(a) The Bureau of Labor and Industries, the Department of  
13 Consumer and Business Services, the Department of Human Services  
14 and the Oregon Health Authority shall conduct a fiscal impact analy-  
15 sis to determine whether a proposed minimum standard of the board  
16 will require any increase to state funding levels or otherwise result in  
17 an increase in the fiscal obligations of the state, including but not  
18 limited to an increase in Medicaid reimbursement rates.

19 “(b) If a determination is made under paragraph (a) of this sub-  
20 section that a proposed minimum standard will require any increase  
21 to state funding levels or otherwise result in an increase in the fiscal  
22 obligations of the state, the board shall report to the Legislative As-  
23 sembly and to the Governor the increase in funding needed to imple-  
24 ment the standard.

25 “(c) If the Legislative Assembly appropriates less than what is  
26 necessary for implementation and enforcement of the rule establishing  
27 the minimum standard, the board shall amend or repeal the rule to  
28 align the minimum standard with the level of funding appropriated by  
29 the Legislative Assembly.

30 “(5) If the director of the division of the Oregon Health Authority

1 that administers the state medical assistance program determines that  
2 approval from the Centers for Medicare and Medicaid Services is nec-  
3 essary to implement a minimum standard proposed by the board, the  
4 authority shall seek the necessary approval.

5 “(6) In no event may a rule establishing a minimum standard under  
6 this section take effect before the Legislative Assembly appropriates  
7 funding under subsection (4) of this section and the board has received  
8 approval from the Centers for Medicare and Medicaid Services under  
9 subsection (5) of this section, if applicable.

10 “(7) All agencies of state government, as defined in ORS 174.111, are  
11 directed to furnish information to the board, upon request, that the  
12 board considers necessary for the board to carry out the board’s duties  
13 under subsection (3) of this section, unless such information is exempt  
14 from public disclosure under federal or state law.

15 “(8) Rules establishing minimum standards under this section shall  
16 be adopted by the board in accordance with applicable provisions of  
17 ORS chapter 183.

18 **“SECTION 6. Comprehensive review.** (1) At least once every four  
19 years, the Home and Community-Based Services Workforce Standards  
20 Board shall conduct a comprehensive review of the minimum stan-  
21 dards previously adopted by the board to determine whether the stan-  
22 dards have continuing applicability or whether the board should adopt  
23 new standards or revise the existing standards.

24 “(2)(a) As part of the review, the board shall conduct a labor market  
25 analysis of the working conditions for the home and community-based  
26 services workforce that examines factors that may include, but need  
27 not be limited to:

28 “(A) Supply and demand estimates and projections for such work-  
29 ers;

30 “(B) Education, training and skill requirements;

1       “(C) Compensation rates for the home and community-based ser-  
2 vices workforce;

3       “(D) Industry profits; and

4       “(E) Professional development and training opportunities.

5       “(b) In conducting the labor market analysis, the board shall con-  
6 sider whether and to what extent the board’s minimum standards re-  
7 garding compensation rates for paying workers in the home and  
8 community-based services workforce should be adjusted relative to the  
9 Medicaid reimbursement rates for services provided by such workers.  
10 Such a determination shall be made pursuant to a process specified  
11 by the board by rule.

12       “SECTION 7. Reporting. (1) The Home and Community-Based Ser-  
13 vices Workforce Standards Board shall prepare and submit a biennial  
14 report to the Governor and to the Legislative Assembly by June 30 of  
15 each even-numbered year on the board’s activities and recommen-  
16 dations.

17       “(2) The report must include, at a minimum:

18       “(a) A statement of findings and conclusions of the most recently  
19 completed comprehensive review required under section 6 of this 2025  
20 Act, including recommendations:

21       “(A) For statutory changes;

22       “(B) For revisions to amounts appropriated to the board, if any; and

23       “(C) For proposed adjustments to Medicaid reimbursement rates to  
24 ensure that such rates directly correspond to the board’s minimum  
25 standards for compensation rates paid to the home and community-  
26 based services workforce.

27       “(b) A copy of the budget documents of the board showing:

28       “(A) The Medicaid reimbursement rates for the home and  
29 community-based services workforce; and

30       “(B) Statements showing aggregate data regarding compensation

1 paid and benefits provided to the home and community-based services  
2 workforce.

3 “(c) A description of the public hearing process used to inform the  
4 minimum standards established by the board.

5 “(d) A description of the current minimum standards established  
6 by the board and recommended changes to the standards, along with  
7 any supporting documentation for the proposed changes.

8 “(e) The number and types of complaints or civil actions filed al-  
9 leging a violation of any of the standards established by the board, if  
10 any.

11 “(f) A summary of all other actions taken during the prior  
12 biennium in the performance of the board’s statutory responsibilities  
13 that is adequate to allow evaluation of the board’s performance.

14  
15 **“BOARD AUTHORITY**

16  
17 **“SECTION 8. Investigative authority.** In order to determine any  
18 facts relevant to matters concerning implementation of and compli-  
19 ance with the minimum standards established by the Home and  
20 Community-Based Services Workforce Board under section 5 of this  
21 2025 Act, the Commissioner of the Bureau of Labor and Industries may  
22 conduct investigations, issue subpoenas and subpoenas duces tecum,  
23 administer oaths, obtain evidence and take testimony to the same ex-  
24 tent that the commissioner may exercise such authority with respect  
25 to the bureau’s duties as described under ORS 651.060.

26  
27 **“WORKER PROTECTIONS**

28  
29 **“SECTION 9. Retaliation prohibited.** It is an unlawful practice un-  
30 der ORS chapter 659A for an employer to terminate, discipline, penal-

1   ize, retaliate or take any other adverse action against any worker from  
2   the home and community-based services workforce because the worker  
3   has:

4       “(1) Inquired about or exercised any right afforded to a worker un-  
5   der sections 1 to 12 of this 2025 Act or under any minimum standards  
6   established by the board under section 5 of this 2025 Act.

7       “(2) Participated in any process or proceeding under or related to  
8   sections 1 to 12 of this 2025 Act, or has testified or is about to testify  
9   in any such proceeding.

10      “SECTION 10. Remedies. (1) No sooner than 90 days after a rule  
11   establishing a minimum standard under section 5 of this 2025 Act takes  
12   effect, a worker from the home and community-based services  
13   workforce or a labor organization may seek relief for an alleged vio-  
14   lation of a minimum standard established by the Home and  
15   Community-Based Services Workforce Standards Board under section  
16   5 of this 2025 Act by:

17      “(a) Commencing a civil action in the circuit court of appropriate  
18   jurisdiction for injunctive relief, damages or other appropriate equi-  
19   table relief against any person alleged to have violated a minimum  
20   standard; or

21      “(b) Filing a complaint with the Commissioner of the Bureau of  
22   Labor and Industries in the manner provided by ORS 659A.820, not  
23   later than one year after the date of the alleged violation. In addition  
24   to any other penalty provided by law, the Commissioner of the Bureau  
25   of Labor and Industries may assess a civil penalty under ORS 183.745  
26   not to exceed \$1,000 for each violation of a minimum standard adopted  
27   by the board under section 5 of this 2025 Act.

28      “(2) Prior to commencing a civil action under subsection (1)(a) of  
29   this section, the person alleging the violation shall provide written  
30   notice to the person alleged to have violated the minimum standard

1 stating that the person shall have 30 days from receipt of the notice  
2 to correct the alleged violation. A civil action may not be brought  
3 against the person alleged to have violated the minimum standard if  
4 the person has corrected the alleged violation within the time period  
5 specified under this subsection.

6 “(3) A labor organization may file a civil action under this section  
7 only on behalf of workers from the home and community-based ser-  
8 vices workforce whom the labor organization represents. A labor or-  
9 ganization may not file a civil action on behalf of workers who are not  
10 represented by the labor organization.

11 “(4) Upon prevailing in an action under this section, the plaintiff  
12 may recover actual damages and the court shall award reasonable at-  
13 torney fees and costs to the prevailing plaintiff.

14 “SECTION 11. Limits. Nothing in sections 1 to 12 of this 2025 Act  
15 is intended to:

16 “(1) Limit, interfere with or reduce the rights of any parties to a  
17 collective bargaining agreement.

18 “(2) Diminish the rights or remedies that are otherwise available  
19 to a worker from the home and community-based services workforce  
20 under federal or state law or regulation, including but not limited to  
21 the right to file a wage claim under ORS 652.310 to 652.414.

22 “SECTION 12. Employer notice requirements. (1) Each employer of  
23 workers of the home and community-based services workforce shall  
24 provide notice to the workers of the following:

25 “(a) The rights of the workers with respect to the minimum stan-  
26 dards established by the Home and Community-Based Services  
27 Workforce Standards Board under section 5 of this 2025 Act.

28 “(b) The duties and functions of the board.

29 “(c) Contact information for each state agency responsible with  
30 enforcement authority over matters that relate to the same subjects

1 over which the board has authority.

2 “(2) The employer shall provide the notice required under this sec-  
3 tion as follows:

4 “(a) At the time of hire;

5 “(b) In the same language that the employer typically communi-  
6 cates with the worker;

7 “(c) By posting the notice in a conspicuous location in the  
8 workplace; and

9 “(d) By sending the notice to the electronic mail address of each  
10 worker of the employer.

11 “(3) The board shall annually review and update the notice required  
12 under this section insofar as necessary to reflect changes to any min-  
13 imum standards that are adopted by the board.

14  
15 “MISCELLANEOUS

16  
17 “SECTION 13. ORS 443.517 is amended to read:

18 “443.517. (1) The Department of Human Services shall maintain an online  
19 [*home or community-based services caregiver*] registry **that is** accessible to  
20 the public **and that lists home or community-based services caregivers**  
21 **and workers.** The information to be displayed on the registry for each  
22 caregiver **and worker, respectively,** shall be limited to the:

23 “(a) Name of the caregiver **or worker**;

24 “(b) County and, if applicable, city where the caregiver **or worker** re-  
25 sides;

26 “(c)(A) Certification status of the caregiver under ORS 443.515 and any  
27 endorsements earned by the caregiver; [*and*] **or**

28 “(B) **Certification status of the worker and any endorsements**  
29 **earned by the worker, if applicable; and**

30 “(d) Criminal records check status of the caregiver **or worker.**

1 “(2) The registry shall contain links to:

2 “(a) Sites that explain the training requirements for the certification of  
3 each type of home or community-based services caregiver described in ORS  
4 443.515 (1)(b); and

5 “(b) The home care registry, as defined in ORS 410.600, for members of  
6 the public to find home care workers.

7 “(3) The department shall create a process for a home or community-based  
8 services caregiver **or worker** to request to be excluded from the registry.

9 “(4) The department shall prominently display a notice on the registry  
10 that states that:

11 “(a) Home or community-based services caregivers **and workers** may  
12 choose not to be listed on the registry; and

13 “(b) The registry is not an exclusive list of all home and community-based  
14 services caregivers **and workers** that are qualified and trained in this state.

15 “(5) The department may include on the registry disclaimers, user guid-  
16 ance and other resources that the department deems appropriate to help us-  
17 ers of the registry.

18 “(6) This section does not prohibit the department from requesting and  
19 collecting from home or community-based services caregivers **and workers**  
20 information in addition to the information that must be displayed on the  
21 registry under subsection (1) of this section.

22 “(7) **As used in this section, ‘worker’ means an individual from the**  
23 **home and community-based services workforce, as defined in section**  
24 **1 of this 2025 Act.**

25 “**SECTION 14.** ORS 192.670 is amended to read:

26 “192.670. (1) Any meeting, including an executive session, of a governing  
27 body of a public body which is held through the use of telephone or other  
28 electronic communication shall be conducted in accordance with ORS 192.610  
29 to 192.705.

30 “(2) When telephone or other electronic means of communication is used



1 and the meeting is not an executive session, the governing body of the public  
2 body shall make available to the public at least one place where, or at least  
3 one electronic means by which, the public can listen to the communication  
4 at the time it occurs. A place provided may be a place where no member of  
5 the governing body of the public body is present.

6 “(3) All meetings held by a governing body of a public body, excluding  
7 executive sessions, must provide to members of the general public, to the  
8 extent reasonably possible, an opportunity to:

9 “(a) Access and attend the meeting by telephone, video or other electronic  
10 or virtual means;

11 “(b) If in-person oral testimony is allowed, submit during the meeting oral  
12 testimony by telephone, video or other electronic or virtual means; and

13 “(c) If in-person written testimony is allowed, submit written testimony,  
14 including by electronic mail or other electronic means, so that the governing  
15 body is able to consider the submitted testimony in a timely manner.

16 “(4) The provisions of subsection (3) of this section:

17 “(a) Apply to:

18 “(A) Hearings under ORS 197.797, 215.402 to 215.438 and 215.700 to 215.780  
19 regardless of whether a governing body or governing body’s designee, in-  
20 cluding a hearings officer, conducts the hearing; and

21 “(B) **Public hearings under section 5 of this 2025 Act; and**

22 “(b) Do not apply to contested case hearings under ORS chapter 183.

23 **“SECTION 15. (1)(a) The Home and Community-Based Services**  
24 **Workforce Standards Board shall consider the information related to**  
25 **prevailing labor market conditions described under section 5 (3) of this**  
26 **2025 Act no later than September 30, 2027.**

27 **“(b) The board shall adopt rules establishing the initial minimum**  
28 **standards under section 5 of this 2025 Act following completion of the**  
29 **initial market study described in paragraph (a) of this subsection, but**  
30 **not sooner than March 1, 2028.**

1       “(2) If, as a result of a fiscal impact analysis conducted under sec-  
2       tion 5 (4) of this 2025 Act, the Bureau of Labor and Industries, the  
3       Department of Consumer and Business Services, the Department of  
4       Human Services or the Oregon Health Authority determines that a  
5       proposed minimum standard will require any increase to state funding  
6       levels or otherwise result in an increase in the fiscal obligations of the  
7       state, the board shall report to the Legislative Assembly and to the  
8       Governor the increase in funding needed to implement the standard.  
9       The rule establishing the standard may not take effect until the reg-  
10      ular legislative session next following provided that an appropriation  
11      has been made for purposes of implementing and enforcing the stand-  
12      ard, in the regular legislative session next following.

13      “SECTION 16. The unit and section captions used in this 2025 Act  
14      are provided only for the convenience of the reader and do not become  
15      part of the statutory law of this state or express any legislative intent  
16      in the enactment of this 2025 Act.”.

---