



March 17, 2025

The Members of the Oregon Legislature
Oregon State Capitol
900 Court St. NE
Salem, OR 97301

RE: Opposition to House Bill 3838 –
Home and Community-Based Services Workforce Standards Board

Dear Members of the Oregon Legislature,

I am writing to express my strong opposition to House Bill 3838, which seeks to establish the Home and Community-Based Services Workforce Standards Board. While I appreciate the intent to improve conditions for care workers, this bill creates significant unintended consequences that threaten the stability of Oregon's home and community-based care system. I urge you to reject HB 3838 and instead pursue solutions developed collaboratively with all stakeholders.

Key Concerns with HB 3838

1. Unfunded Mandates and Financial Strain (Sections 4, 5, 6)

- The bill empowers the board to set wage floors, benefits, and training requirements without a dedicated funding mechanism. For example, Section 4(2)(e) mandates health care benefits and paid leave, while Section 6(2)(a)(C) ties Medicaid reimbursement rates to these standards. This risks:
- Provider closures: Small care agencies and adult foster homes, already operating on thin margins, cannot absorb these costs without guaranteed state funding.

- Reduced access to care: Higher operational costs will force providers to limit services or exit the Medicaid program, disproportionately harming rural and low-income Oregonians.

2. Bureaucratic Overreach (Sections 2, 7, 8)

- The 13-member board (Section 2) lacks proportional representation for smaller providers and rural communities, centralizing power with state-appointed members.
- Section 8 grants the board subpoena authority to investigate employers, creating adversarial relationships and diverting resources from care delivery.
- Section 7 imposes rigid training standards, disregarding existing certifications and adding redundancy for experienced workers.

3. Privacy Risks (Section 4(2)(g))

- The bill requires employers to share workers' personal information (e.g., home addresses, emails) with the board and third-party organizations. This violates privacy rights and exposes caregivers to potential harassment.

4. Legal Liability for Employers (Section 10)

- Section 10 allows workers and labor organizations to sue employers for alleged violations of board standards, even if providers lack funding to comply. This invites costly litigation and could drive insurers to abandon the sector.

5. Conflict with Existing Laws (Section 11)

- While Section 11 claims to preserve collective bargaining rights, the board's unilateral authority to set statewide standards (Section 4(1)) undermines locally negotiated agreements and stifles flexibility.

A Better Path Forward

Oregon's care workforce deserves support, but HB 3838 is not the solution. Instead, I urge you to:

1. Increase Medicaid reimbursement rates to directly fund wage increases.
2. Expand tax credits for training and retention programs.
3. Convene a stakeholder task force (providers, workers, families, and state agencies) to address workforce challenges without centralized mandates.

HB 3838 jeopardizes Oregon's fragile care ecosystem. Its top-down approach ignores regional disparities, imposes unsustainable costs, and risks reducing access for

vulnerable residents. I implore you to vote NO on this bill and prioritize collaborative, equitable solutions.

Sincerely,

Advocacy for Adult Care Homes, Inc:

Ana Petras, President

Ella Shepherd, Secretary

Simona Borlovan, Treasurer

Angie Muresan, Chairman of the Board

Simona Babalai, Board of Directors

Raluca Nicorici-Stoica, Board of Directors