



Oregon DD
Coalition

Advancing Opportunities

March 17, 2025

To: Representative Grayber, Chair, and House Committee on Labor and
Workplace Standards

From: Oregon Developmental Disabilities Coalition

RE: HB 3838 (Oppose)

To Chair Grayber, Vice-Chairs Elmer and Muñoz, and Members of the Committee:

The Oregon Developmental Disabilities Coalition (DD Coalition) is a group of approximately 30 organizations across Oregon that promote quality services, equity, and community integration for Oregonians with intellectual and developmental disabilities (I/DD) and their families. Our members include the Oregon Self-Advocacy Coalition (a statewide coalition of people with I/DD or “self-advocates”), peer-based family support organizations, support services brokerages, advocacy organizations, and developmental disability providers and the DD Act Network Partners.

Individuals deserve a voice in the decisions that impact their lives. The Home and Community-Based Services (HCBS) Workforce Standards Board lacks sufficient representation from the I/DD community directly impacted by its decisions. Without direct representation from those most affected, policy decisions will not reflect the priorities of the people for whom they are intended. As introduced, HB 3838 specifies a 13-member Board, of which only two seats are designated for members who “represent the interests” of those receiving services. By identifying only two members who *might* be persons with disabilities receiving services, the proposed legislation marginalizes those with developmental disabilities.

There is no guarantee that any of the individual members will be persons with disabilities. For example, the Governor might appoint parents or family members or others thought to “represent the interests” of people with disabilities receiving services. Their interests are not always aligned with those who are receiving



services. Also, in terms of public hearings, the legislation only requires one public hearing prior to the implementation of significant changes to workforce standards. That is not the level of public engagement to expect from a Board with so much authority and influence over homecare services.

HB 3838 makes no distinctions between developmental disability services and other disability-related services or settings. Recipients of I/DD services have specific needs and sometimes require greater behavioral or medical supports. Treating I/DD services the same in terms of standards like wages and provider rates will negatively impact recruitment of I/DD homecare workers. The failure to distinguish I/DD services also underscores that recipients of those services will be under-represented on the Board. Of the two seats reserved for those who “represent the interest” of individuals receiving services, none are specified for I/DD service recipients. That cookie cutter approach will grind innovative solutions for the I/DD community to a halt, and further delay delivering funding to homecare workers that cannot wait until 2029. We already have findings and recommendations from the recent “APD-ODDS Rate and Wage Study” that the legislature should focus on implementing.

The creation of the HCBS Workforce Standards Board duplicates the work of other existing agencies and advisory bodies such as the ODDS Vision Advisory Committee, the DD Coalition, or the Homecare Commission. The Board also is much more than an advisory body, but rather a delegation of regulatory authority by the legislature. The industry is already regulated with clear licensing standards and oversight. Those involved in rulemaking, licensure, and oversight have a track record of public engagement with the I/DD community that the new Board does not. The lack of consideration toward representation of the I/DD community or robust public engagement in the bill is a negative harbinger of how the interests of the community will be treated by the Board.

Given the lack of representation of people with disabilities receiving I/DD services, no distinctions drawn between those services and other disability-related services, and duplication of work already being done by other regulatory and advisory bodies, the DD coalition opposes HB 3838.