

March 18th, 2025



Senate Committee on Human Services
Oregon State Capitol: 900 Court St. NE Salem, OR 97302
Re: Testimony on Senate Bill 811

Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Committee,

For the record my name is Courtney Graham. I am the Political Director of SEIU Local 503, and I am here today to provide testimony on Senate Bill 811, with suggested amendments outlined below. Our union represents Medicaid-paid Adult Foster Home (AFH) providers with 5 or fewer residents. We appreciate the bill's intent to reduce administrative burdens by moving from annual to biennial licensing and introducing support structures for initial inspections. However, we have concerns and suggestions to ensure this bill works for providers and the residents they serve.

AFH providers are some of Oregon's best caregivers, offering high-quality, personalized care in a home-like setting. Biennial licensing for providers in good standing recognizes their expertise and trustworthiness. While new providers may need closer oversight, experienced providers with a history of compliance should be trusted to operate with less frequent inspections. AFHs are homes, not institutions, and oversight should reflect this reality, acknowledging that perfection is not always possible in a home setting. That is why we strongly support moving AFHs to a biennial licensing cycle, like RCFs and memory care homes. A two-year cycle would reduce administrative burdens, promote fairness, and let providers focus more on care while streamlining oversight and aligning with modern practices.

If SB 811 keeps "substantial compliance" as the standard for biennial licensing, the term needs clearer definition. Many stakeholders find it hard to quantify and worry it could lead to inconsistent enforcement. Providers need certainty about what counts as substantial compliance to ensure equity and uphold the bill's intent. We recommend defining it to focus on major violations like neglect, abuse, medication errors, or financial mismanagement, while excluding minor issues like paperwork errors. For example, providers with no substantiated neglect or abuse charges in the last two years should qualify. Providers must also have the right to appeal if they believe they are wrongly deemed non-compliant. A transparent appeals process is essential to ensure fairness and prevent inconsistent application of the term.

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Regarding the 120-day inspection for new providers, we understand the goal is to increase the state's interaction with providers during their initial operational phase. However, we are concerned this interaction could be used to impose fines or other regulatory infractions rather than focusing on supporting providers as they get started. While we do not want to limit the authority of inspectors to address serious violations, the bill should clarify that the purpose of the 120-day inspection is to provide guidance, identify areas for improvement, and help providers establish best practices. This would alleviate fears among providers that the inspection process may encourage licensors to write them up unnecessarily for minor issues.

In conclusion, we support the goals of SB 811 but urge the legislature to consider the operational realities of AFH providers. By adopting biennial licensing for all AFHs, defining clear standards for "substantial compliance," reducing administrative burdens, and clarifying the supportive intent of initial inspections, SB 811 can better serve both providers and residents. Thank you for considering our perspective. We look forward to working with you to ensure this bill supports the vital work of AFH providers and the well-being of residents across Oregon.

In Unity,

Courtney Graham
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