



Oregon's Voice for Long Term Care & Senior Housing

April 1, 2025

House Committee on Early Childhood and Human Services
Oregon State Capitol
900 Court St. NE
Salem, OR 97302

Subject: OHCA is Neutral on HB 2956

Dear Chair Hartman, Vice Chairs Nguyen and Scharf, and members of the House Committee on Early Childhood and Human Services,

The Oregon Health Care Association (OHCA) represents more than 90 percent of long term care providers across the state. Our members include post-acute care, long term care, assisted living, residential care, and memory care communities, as well as in-home care agencies. We are deeply committed to serving all older adults and people with disabilities in need of long term services and supports.

House Bill 2956 proposes a pilot program allowing Adult Foster Homes (AFHs) to increase their capacity from five to up to seven residents. OHCA was neutral on a similar concept introduced in the 2019 session, and we remain neutral on HB 2956 with certain changes that we understand are encompassed in a forthcoming amendment, which we appreciate Senator Meek working on with us.

In 2019, House Bill 3270 would have allowed 15 qualified AFHs to participate in the pilot. From OHCA's perspective, it is critical that HB 2956 continue to include a cap on the number of homes that could participate in the pilot to ensure it has the characteristics of a true pilot, including it being on a small scale to test its effectiveness or feasibility before a larger rollout to allow for adjustments and refinements.

To provide clarity and to help decipher which homes may be eligible to participate in the pilot program, OHCA offered the following suggestions and changes to the bill:

Prior to being approved to participate in the pilot program, we believe the Department of Human Services should be required to verify that an AFH is in "substantial compliance" (a defined term in state law) with existing rules and regulations. To promote health and safety, the Department should consider the AFH's *overall* compliance history for the past two years as well.

The Department should assess an AFH's ability to meet residents' needs and fire and life safety standards for evacuation, in addition to caring for any children or others beyond the increased capacity of the AFH. It is equally important to not only meet the "physical inspection" mandates for the home, but also the need to meet the physical needs of the residents they are serving.

We suggested clarifying language regarding the program's start and end dates, with the four-year pilot beginning January 1, 2026, and ending on January 2, 2030.

Lastly, while this issue is not addressed in HB 2956 and will require further discussion, we want to highlight a key long-term concern for OHCA. The concern is that if the Legislature considers extending this policy after the pilot, we need to reconcile the statutory definitions of "Adult Foster Home" and "Residential Care Facility." Currently, Residential Care Facilities are defined as settings that serve six or more residents while AFHs are settings that serve five or less. Making sure these definitions and settings are not in conflict with one another is important, especially given they are subject to different regulatory requirements.

Thank you for the committee's time and consideration, and OHCA remains committed to working on this concept to ensure we get it right and prioritize the health and safety of those Oregonians we serve. Thank you.

Sincerely,

Meredith Coba

Director of Legislative and Political Affairs

Oregon Health Care Association