

Oregon Care Home Council

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Portland, OR

Honorable Representatives of Oregon House Committee on Rules

Testimony Opposing Oregon House Bill 3838- Establishment of a Home and Community-Based Services Workforce Standards Board

Oregon Care Homes Council represents Adult Care Homes Providers across Oregon, and we are writing to express our strong opposition to House Bill 3838, which proposes the establishment of a Home and Community-Based Services Workforce Standards Board to regulate workforce standards for home and community-based services. While the bill may have been introduced with good intentions, it fails to recognize the fundamental differences between adult care homes and larger facilities.

Adult care homes were built on the principle of providing a homelike environment—a setting where residents receive personalized, high-quality care in a small, family-like atmosphere. Regulating them in the same way as larger institutions would place an unnecessary and unsustainable burden on these providers, threatening their ability to continue offering care to Oregon's most vulnerable residents.

1. Adult Care Homes Provide Superior, Individualized Care

One of the greatest strengths of adult care homes is their exceptional staff-to-resident ratio, which is typically 1:5 or even 1:2. This ensures that residents receive the close attention, companionship, and timely assistance they need. Caregivers in these settings develop strong, meaningful relationships with residents, which improves their overall well-being and health outcomes.

In contrast, larger long-term care facilities operate with staff-to-resident ratios as high as 1:10 or 1:15 in some cases. In these settings, caregivers struggle to provide the same level of individualized care, often leading to delays in responding to residents' needs, higher incidences of falls, medication errors, and emotional distress. Regulating adult care homes as if they were the same as these larger institutions ignores the unique advantages they provide to residents who thrive in a more intimate, personalized environment.

2. Regulatory Burdens Will Force Care Homes to Close

Applying one-size-fits-all regulations on adult care homes—without considering their smaller scale and unique care model—will lead to many providers shutting their doors. Many of these homes are run by small business owners or family caregivers who do not have the administrative resources or financial support to comply with excessive bureaucratic demands.

Oregon is already experiencing a shortage of long-term care providers, and forcing these homes out of business will further reduce options for seniors and individuals with disabilities who rely on them. The result? More residents being forced into institutional settings that do not provide the same level of comfort, dignity, and individualized care that adult care homes do.

3. Lack of Fair Compensation for Added Burdens

Unlike larger care facilities, adult care homes do not receive the same level of financial compensation for their services. Mandating the same workforce standards without increasing reimbursement rates is an unfair and unsustainable financial burden. If Oregon wants to impose additional regulations, the state must first provide adequate funding to help adult care homes meet these requirements. Otherwise, these regulations will only drive providers out of the system, reducing access to care for those who need it most.

4. The Bill Ignores the Foundation of Adult Care Homes

Adult care homes were created to offer an alternative to institutional settings. They are not designed to function like larger nursing homes or assisted living facilities, and they should not be

treated as such. Legislators must acknowledge that what works for a 100-bed facility does not necessarily work for a five-person home.

Instead of imposing blanket regulations, the state should focus on collaborating with adult care home providers to develop tailored solutions that uphold care quality without overburdening small-scale providers.

5. Unintended Consequences: Decreased Care Quality and Workforce Challenges

HB 3838 will not only lead to care home closures, but it will also negatively impact the workforce. Caregivers who are already stretched thin will face added regulatory demands, paperwork, and compliance requirements—reducing the time they can spend actually caring for residents.

6. Conflict with Existing Laws (Section 11)

Section 11 claims to preserve collective bargaining rights, yet the board's unilateral authority to impose statewide standards (Section 4(1)) undermines local agreements and limits provider flexibility. This bill imposes additional financial burdens for Adult Care Homes providers and the state based on already established laws that address minimum pay and working environment conditions.

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

The bill mandates that Adult Care Home Providers share their business' information as well as workers' personal information (e.g., home addresses, emails) with the board and third-party organizations. This invasion of privacy puts caregivers and business at risk of harassment and identity theft.

If the goal is to strengthen the workforce, then policies should focus on:

- Incentivizing and supporting ACH Providers, rather than driving them away with overwhelming mandates.
- Providing financial resources and training rather than punitive regulatory burdens.

- Encouraging recruitment and retention instead of creating conditions that push providers and workers out of the field.

Recommendations

Instead of passing HB 3838 in its current form, I urge the legislature to consider more practical solutions that protect both residents and providers:

1. Provide Financial Assistance for Compliance – If new workforce standards are required, adult care homes must receive equitable funding to meet these expectations.
2. Involve Stakeholders in Policy Development – Work with actual Adult Care Home providers to create realistic and effective regulations that enhance care without harming the industry.
3. Prioritize Workforce Support, Not Bureaucracy – Instead of adding administrative burdens, focus on policies that support and retain caregivers.

Conclusion

House Bill 3838, as written, fails to account for the unique strengths of adult care homes and places an unnecessary burden on providers who already deliver exceptional, personalized care. By treating these small, homelike settings as if they were large institutions, the bill risks decreasing care quality, reducing access to care, and further worsening Oregon's long-term care crisis.

I strongly urge you to oppose this bill or significantly revise it to ensure that adult care homes remain viable, supported, and able to continue providing the high-quality, individualized care that so many Oregonians depend on.

Thank you for your time and consideration.

Sincerely,

Raluca Nicorici-Stoica, President

Adriana Gavozdea, Board Member

Angie Muresan, Board Member

Maryanne Cassera, Board Member