

Dear Chair Bowman, Vice Chair Drazan and Pham & Members of the Committee,

Thank you for the opportunity to share my testimony. I am Lois Gibson, the Executive Director of Oregon Resource Association, known as ORA. I am writing in opposition of HB 3838. ORA supports, advocates and offers resources to about 100 organizations that provide services for people with intellectual, developmental and other disabilities throughout the state.

The public hearing on HB 3838 clearly illustrated why this bill is overreaching. It covers such a broad range of workers providing so many different services to a wide variety of populations that it was impossible to hear from every group impacted. None of the individuals called to testify represented our members, who deliver services to people with intellectual and developmental disabilities across at least six distinct service types. Much of the testimony, both in support and opposition, did not even apply to our services. Yet if this bill passes, **the proposed board will have authority to set rules, policies, and standards that directly affect workers and service recipients who were not given a voice in this process.**

It is unrealistic to believe that a small board could effectively set appropriate standards for such a vast and varied workforce. For example, PSWs who testified spoke repeatedly about receiving little or no training, while our providers must meet rigorous training requirements. Since this board would be created at the request of the very entity that bargains for the PSW workforce, we are concerned about the potential erosion of our training standards and service quality. If SEIU believes training is a priority, why are they not ensuring their own bargained workers receive it?

The IDD community collaborates closely with the Office of Developmental Disabilities Services to establish rules, policies, and training standards that are tailored to each specific service. This inclusive process ensures that all voices are heard — including families, individuals receiving services, workers, employers, and agency experts. Workgroups are intentionally focused on individual service types to ensure decisions are practical and relevant. If HB 3838 passes, these voices will be silenced. The current collaborative approach will be replaced by a small board with no direct experience or expertise in the services provided, making broad decisions that will affect every stakeholder — without their input.

Our members are compassionate, dedicated, largely non-profit organizations that help people with IDD to thrive in their communities; by supporting them in their homes and workplaces, and connecting them with social and recreational activities. **These state partner organizations are committed to providing great services to people with IDD and they understand that means fostering a positive work environment and providing good wages and benefits for their Direct Support Professionals** - the foundation of these services.

Unlike nursing homes, ODDS services are highly individualized. Staffing patterns, schedules, and activities are dictated by each person's needs and choices, often within private homes. Applying a one-size-fits-all workforce model undermines the core value of person-centered support and limits provider flexibility.

IDD organizations rely almost solely on funding from the legislature and the federal Medicaid dollars that match the state's allocation. There is no private pay in the IDD system. There are no Cost of Living increases built into our rates. There is limited fundraising and frankly dwindling reserves that have been stretched to their max over the last few years. **This means that we are entirely dependent on the funding you approve through the DHS**

budget. Community providers have long been the leading advocates for DSPs. That is why you see us here, year after year, asking you to increase wages for the people who do this crucial work.

The real issue is chronic underfunding. This bill does nothing to address that. In fact, any new requirements created by the board will have to be funded by the state, and that just diverts funding into duplicative and redundant regulation and bureaucracy, and away from DSP wages where it is needed.

IDD funding is based on individual assessments and determined by rate models that offer providers some flexibility to manage costs, but these models underestimate actual expenses. A key example is DSP wages—**on average, providers pay over \$2.50 per hour more than what the state funds.** This is currently covered by those fortunate enough to have reserve balances or dedicated fundraising. Other costs, such as health insurance, productivity time, and training, are also undervalued, leaving provider budgets stretched to the breaking point. This underscores the need for any new funding to go directly toward strengthening the workforce.

Despite this, the bill calls for another market study, and puts off increases for workers for years. DHS recently completed a comprehensive rate and wage analysis at the legislature's request. There is no need for another study, you already have the information you need to appropriately fund these services. For the first time, **this study attached a concrete figure for the funding shortfall for your home and community based workers—an alarming \$558 million.** Given the chronic underfunding of these services, this finding is significant but not surprising. This is what we all should be focusing on today - figuring out how to close this gap, not spending money on more costly bureaucracy.

HB 3838 raises costs, provides false wage and benefit standards that mean nothing if not funded by this body, and adds unnecessary bureaucracy...all without actually improving DSP wages. **Instead of complicating an already strained system, Oregon should invest directly in wage increases.** Reject this bill that creates administrative barriers that benefit interest groups over those who rely on these vital services and the workers who support them.

Please support DSPs and vote “no” on HB 3838.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lois Gibson", with a long horizontal flourish extending to the right.

Lois Gibson, Executive Director Oregon Resource Association