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On Behalf Of:
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Measure, Appointment or Topic: HB3838

Opposition Statement to Oregon House Bill 3838

House Bill 3838, which proposes the establishment of a Home and Community-Based Services (HCBS) Workforce Standards Board, raises significant concerns regarding its potential impact on Oregon's long-term care sector. While the bill aims to enhance the quality of care and working conditions for direct care workers, its implementation may lead to unintended consequences that could adversely affect care providers, workers, and the individuals they serve.

1. Increased Operational Costs Without Clear Funding Sources

HB 3838 mandates the establishment of minimum standards for compensation, benefits, and working conditions for HCBS workers. While these objectives are commendable, the bill does not provide clear funding mechanisms to support these mandates. This lack of financial clarity could place a significant burden on small and medium-sized care providers, potentially leading to service reductions or closures, especially in rural areas where resources are already limited.

2. Duplication of Existing Regulatory Frameworks

Oregon already has comprehensive regulations governing long-term care facilities, including stringent caregiver training requirements and high standards for care quality. The introduction of an additional regulatory body may lead to overlapping responsibilities, creating confusion and inefficiencies within the system. ?

3. Potential Undermining of Provider Autonomy

By granting a state-appointed board the authority to set standards for wages, benefits, and working conditions, HB 3838 could diminish the autonomy of individual care providers. This centralized approach may not account for the diverse needs and circumstances of different care settings, potentially leading to one-size-fits-all policies that are not practical or effective across the board.

4. Risk of Exacerbating Workforce Shortages

The additional training and certification requirements proposed by HB 3838, while aimed at improving care quality, could inadvertently deter individuals from entering or remaining in the direct care workforce. Given the existing challenges in recruiting and

retaining qualified care workers, especially in underserved areas, these new requirements could further strain the workforce.

5. Concerns Over Board Composition and Potential Bias

The composition of the proposed HCBS Workforce Standards Board, as outlined in HB 3838, includes representatives from labor organizations. There is concern that this structure may lead to decisions that favor specific groups, potentially at the expense of a balanced consideration of all stakeholders' interests.

Conclusion

While the goals of HB 3838 to improve the HCBS workforce are laudable, the bill's approach may lead to increased costs, regulatory redundancies, and unintended negative impacts on care providers and recipients. A more collaborative and flexible strategy, involving all stakeholders and building upon existing frameworks, may be more effective in achieving the desired improvements in care quality and workforce conditions without the potential drawbacks associated with this legislation.