### Meeting Minutes
December 4, 2014

<table>
<thead>
<tr>
<th>Commissioners Present</th>
<th>Commissioners Absent</th>
<th>Others Present</th>
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<tbody>
<tr>
<td>Jenny Cokeley</td>
<td>Scott Bond</td>
<td>Gail Stevens</td>
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<tr>
<td>Mark King</td>
<td>Laurie Schwartz-VanZandt</td>
<td>Max Brown</td>
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<td>Joseph Lowe</td>
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<td>Fred Steele</td>
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<td>Roxie Mayfield</td>
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<td>Kylie Milne (phone)</td>
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<td>Lyla Swafford</td>
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<table>
<thead>
<tr>
<th>Staff Present</th>
<th>Staff Absent</th>
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<tr>
<td>Leslie Houston</td>
<td>Ron McGhee</td>
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<td>Suzanne Huffman</td>
<td>Joan Medlen</td>
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<td>Nancy Janes</td>
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<td>Roxanne McAnally</td>
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<td>Cheryl Miller</td>
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<td>Kelly Rosenau</td>
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<td>Lindsay Vanderworker</td>
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**Meeting called to Order**
The meeting was called to order at 10:10 a.m. Introductions were made by all in attendance.

**Adoption of Agenda**
The agenda was reviewed. **Motion** was made by Roxie Mayfield to accept the agenda with two changes. **Seconded** by Mark King. **Motion carried.**

**Approval of Minutes**
November 6 minutes were reviewed. **Motion** was made by Mark King to accept minutes as written. **Seconded** by Jenny Cokeley. **Motion carried.**

**Announcements**
There were no announcements.
Public Testimony
Roxie Mayfield, Commissioner, presented the Victim Assistance Training. This online training takes approximately 40 hours to complete.

Commission Budget
Gail Stevens presented the Commission budget for 2013-2015 biennium.

Homecare Choice Program
Jenny Cokeley, Homecare Choice Manager, presented:
November Activities
- Cheryl Miller and Jenny presented at Area Agency on Aging/Disabilities (O4AD)’s quarterly business meeting on November 18th, and it was well received. They had a lot of questions, not only about the new program, but also workforce development, Registry, and training.
- Cheryl and Jenny met with PCG Public Partnerships on November 7th for a demonstration of their web portal. They offer fiscal intermediary services. PCG uses a web portal that consumers and providers use to manage budgets, approve timesheets, submit timesheets, and view reports in real time 24/7.
- Jenny Cokeley sent two emails to stakeholders recruiting membership for three subcommittees. A description of each committee was sent to all Commissioners.
  - Subcommittees:
    - Worker Classification
      - Interested
        - Roxie Mayfield and Joseph Lowe
    - In-home Services and Standards
      - Interested
        - Roxie Mayfield, Mark King, and Kylie Milne
    - Self-assessment and Service Planning.
      - Interested
        - Lyla Swafford
- Jenny Cokeley is developing a survey to send to in-home agencies to gather information about rates, services, provider qualifications, counties served, areas underserved,
etc. We have reached out to in-home agency provider organizations to ask for support.
• Jenny spoke with Enzo Pastore, with AARP in Washington D.C., on November 26th about the new program and Registry. He is trying to promote the concept of a national registry for private pay individuals, and is currently working on a bill. He is the Senior Legislative Representative for AARP.

December Activities
• Information about upcoming positions with the Homecare Choice Program were presented at the DHS internal job fair in Portland on December 2nd. Upcoming positions include: OPA 2, Administrative Specialist, and an Accounting Tech. Lindsay Vanderworker and Jenny spoke to about 60 people who were interested in the Commission, Registry, and upcoming positions.
• Interviews for the Fiscal Analyst 3 position are scheduled for December 15th.
• Select stakeholders to participate in worker classification subcommittee and schedule dates.
• Write draft Homecare Choice Registry user requirements.
• Finish the in-home agency survey and send to agencies.

OHCC Workforce Development Strategy and Workgroup
Cheryl Miller, Executive Director Oregon Home Care Commission (OHCC) reported that she will be assembling this committee from the following stakeholders:
• SEIU
• Aging and People with Disabilities (APD)
• Oregon Department of Developmental Disabilities (ODDS)
• Community partners
• Workforce Development
• Commissioners
• Self-Sufficiency
• DHS
• Vocational Rehabilitation
• Employment Department
• Community Colleges
Strategies to discuss common concerns:
• Universal provider enrollment process.
  o Reduce workload issues in field and Central Office.
• Online orientation
• One hour 20 minute orientation at local office to complete forms, etc.

**HCW Orientation Update**
Cheryl reported that Mike McCormick, Director Aging and People with disabilities, sent an email to AAA/APD offices that they can no longer have closed provider enrollment.

**Q&A Regarding Reports Submitted by Staff**
There were no comments or questions regarding staff reports.

**Traditional Health Worker Commission (THW) Report**
Roxanne McAnally, Traditional Health Worker Coordinator, reported:
• System Integration
  o Waiting for technicians to create website. It will be located on Transformation Center’s website.
• Training, Evaluation, and Metrics Program Scoring
  o As part of Oregon Administrative Rules (OARs), it was decided to wait until after the legislative session.
• Registry
  o Registry, which is on hold, will serve as job bank.
• Other
  o Rogue Community College’s survey
    ▪ Will expand from regional to statewide.
    ▪ Is requesting funding from OHCC’s Traditional Health Worker program.

Roxanne also presented two models for hiring traditional health workers. Commissioners were asked to review this at their leisure.
Senate Bill (SB)21—Long Term Care Committee/Subcommittee Update
Max Brown, Policy Analyst, APD reported on Senate Bill 21.
  • Still processing information from the statewide tour.
  • Steering Committee will meet January 8, 2015.
  • Innovations Board will meet December 16, 2014.
  • Introduced Fred Steele.

Fred Steele described his position.
  • State Legal Services Developer.
  • Working with larger advocacy rights issues with APD Executive Staff.
  • Interim Manager, Advocacy Development Unit.

Providers and Break/Lunch Requirements
Roxie reported that she has met several providers, who work in facilities, do not have adequate breaks and/or lunches. This includes using restrooms. She would like the Commission to look into stopping this practice. Cheryl stated that those individuals should contact the Bureau of Labor and Industries (BOLI), since the OHCC cannot influence facilities.

Personal Support Worker (PSW) Independent Contractor Workgroup Overview
Suzanne Huffman, STEPS Coordinator, reported:
  • Labor management workgroup created by Letter of Agreement between OHCC and SEIU.
    o Cannot make definitive policies.
    o Cannot dictate how things are going to be.
    o Explore issues and make recommendations that may have bearing on upcoming Collective Bargaining.
  • In the past, PSWs were categorized as Independent Contractors or Domestic Employees.
  • Independent Contractors have been included in bargaining unit.
  • Has met several times with guests from the Employment Department.
  • Several discussions around whether and how PSWs can be independent contractors.
o Ramifications around this issue are reason for this group’s creation.

- During the last meeting, the group held a structured brainstorming session.
  o Everyone was asked to write questions/concerns on post-it notes.
  o These were grouped together to discuss with Employment Department or held for bargaining.
  o Major topics for Employment Department:
    ▪ Defining an independent contractor
    ▪ Weight testing
    ▪ Direction and control
    ▪ Making services available to the general public
    ▪ Whether a PSW can be properly classified as an independent contractor
    ▪ Pay issues
    ▪ Risks of misclassification

**Future Topics Brainstorming Session**
Joseph Lowe, Commission Chair, opened discussion for future meeting topics. Large post-it notes were passed out for commissioners/staff to write future meeting topics ideas. Many suggestions were made, and will be entered into the *Future Commission Meeting Agenda Topics*. Commissioners will prioritize these ideas through Survey Monkey.

**Legislative Concept**
Joseph reported that since he has been having difficulties getting a replacement power wheelchair that allows him to be an active community member. He has been working with legislative counsel, Lorey H. Freeman, to create Legislative Concept (LC) 60. This concept wants to get Oregon Health Plan (OHP) to interpret durable medical equipment the same way that Centers for Medicare and Medicaid (CMS) does for in-home and community-based use. The next step is to convert it to a bill, hopefully, before the legislative session. Joseph is hoping to add an amendment that maintenance should be applied to both the primary and secondary equipment.
**Legislative Session Planning**
Joseph opened discussion.
- How do we want to handle this legislative session.
- Do we want a sub-committee?
  - Dependent upon what bills are introduced in session.
- OHCC staff follow bills that affect the Commission.
  - Present bills at Commission meetings.
- Partner with one or more stakeholders during their lobby days.
- Need some commissioners to listen to the APD Stakeholder Legislative meeting.

**Centralized State Payment System Labor/Management Committee Update**
Cheryl reported:
- Met on December 5th.
- Update from Information Technology Business Unit (ITBSU).
- Look at the number of PSWs who have completed their provider enrollment.
- Look at the number of PSWs who have not completed their provider enrollment.
  - Sending out postcards to ensure that this is completed.
- Entering Plans of Care into eXPRS.

**APD Stakeholder Meeting Update**
Joseph reported from the last meeting which discussed the Governor’s Recommended Budget for the 2015-2017 biennium and how the money might be dispersed among programs APD.

**Community Advisory Councils/Coordinated Care Organizations Update**
Roxie reported that Adverse Childhood Experiences (ACES) gave a presentation at the meeting on November 24th.

Joseph reported that Roxanne McAnally gave a presentation at his last meeting about training HCWs to become THWs. There was really good feedback from the committee. They would like to have Roxanne come back in the future.
Joseph also reported on non-emergency medical transportation:
  • Access to Care is going to be the brokerage system
  • Health Share is agreeing with complaints and concerns.
    o Purchased rights to the new phone number, website, and to branding logo.
    o The new system will be called Ride to Care.
  • Access to Care has created an advisory council.
  • President of Health Share was invited to talk about how to better collaborate with Health Share Board of Directors and staff.

**Executive Director’s Report**
Cheryl Miller reported:
  • November 4
    o Had two meetings with ODDS:
      ▪ Hold harmless and PSW rates.
      ▪ Phone meeting, including Suzanne, regarding grievances.
    o Held first Homecare Choice informational stakeholder meeting, which Jenny facilitated.
  • November 6
    o Teleconference with Rosalynn Carter Institute for Caregiving to discuss and evidence based free training program. We have given this opportunity to the ADRC since its focus is primarily on family caregivers.
  • November 7
    o Began management bargaining meetings.
    o Cheryl and Jenny met with PCG Partnership (fiscal intermediary) web portal demonstration.
    o PSW Independent Contractor meeting.
    o HUB project meeting with Naomi Sacks and Theresa Powell.
  • November 10
    o Met with Ron McGhee about the Registry.
  • November 12
    o Cheryl and Jenny met with Sarah Hout and Kristin Murphy about marketing opportunities with ADRC and Homecare Choice Program.
November 18
  o APD Policy meeting.
  o Cheryl and Jenny had a meeting with O4AD about the Homecare Choice Program.

November 19
  o Brokerage/CDDP meeting to discuss CBA hold harmless and rates in Article 14.2.
  o HCW Issues meeting, SEIU did not attend, but continued to meet with Provider Relations Unit.

November 20
  o Cheryl and Joan met with ODDS employment service about PSW job coaching and training.
  o Cheryl and Ron met with ODDS, APD, OIS, and ITBSU staff about IT requirements for the Enhanced/Exceptional training program.

November 21
  o Teleconference with Jereme Grzybowski.
  o Met with Roxanne about the Traditional Health Worker program.
  o Met with Lindsay Vanderworker to discuss the Commission notebook.

November 24
  o Cheryl and Jenny met with APD, DOJ, and DAS about the Homecare Choice Program.
  o Attended the PAD, Office of Adult Abuse Prevention and Investigation (OAAPI) and Office of Licensing and Regulatory Oversight (OLRO) Joint Managers meeting.
  o Met with Suzanne to discuss comments submitted regarding the OHCC permanent rules.

November 25
  o APD Management Team meeting
  o Cheryl, Suzanne, Jane-ellen Weindanz, and Advocacy and Development staff met with Multnomah County regarding their Innovation grant.

January 2015 Commission and HCW Training Committee Meetings
Joseph opened discussion regarding moving or cancelling January’s Commission and HCW Training Committee meetings.
Motion was made by Mark King to cancel both Commission and HCW Training Committee meetings. Seconded by Jenny Cokeley. Motion passed. January 2015 Commission and HCW Training Committee meetings have been canceled.

Adjournment
Meeting adjourned at 2:45 p.m. Next meeting will be held on February 5, 10:00 am, 676 Church Street NE, Salem.

Attachments:
- Agenda
- OHCC Minutes for November 6, 2014
- Home Care Commission Budget Report
- Traditional Health Worker Commission November 2014
- Traditional Health Worker Implementation Models
- Victim Assistance Training Online
- Quarterly Training Summary Report, Quarter: July 1, 2014-September 30, 2014
- STEPS Statistical Report, September/October 2014
- STEPS Report for September/October 2014
- STEPS Specialist Meeting Minutes, November 18, 2014
- Future Commission Meeting Agenda Topics
- Personal Support Worker (PSW) Independent Contractor (IC) Workgroup Questions for Employment Department
- LC 60 Draft
- Legislative Counsel Committee Letter Subject LC 60