



Oregon Home Care Commission (OHCC)
Meeting Minutes
November 4, 2021

Members Present: Ruth McEwen (Chairperson), Paul Johnson, Mark King, Marsha Wentzell, Mike Volpe

Members Absent: Randi Moore

Others: Brian Holman, Judi Richards, Joseph Lowe, Kaellen Hessell, Cassidy Williams

Staff: Cheryl Miller, Roberta Lilly, Massarra Eiwaz-Ransom, Andrea Kempel, David Vining, Miguel Cordova, Nancy Janes, Heidi Alasio

Meeting Called to Order

The meeting was called to order at 10:05 AM by Chairperson McEwen.

Introductions

None.

Adoption of Agenda

Commissioner Volpe **moved** to approve the agenda. Commissioner **seconded**.
Motion carried.

Approval of Minutes

Commissioner King **moved** to approve the October OHCC Meeting minutes as submitted. Commissioner Wentzell **seconded**. **Motion carried.**

Announcements

None.

Public Testimony

Public Testimony was provided by Avery Horton.

If I did not send this to the right people, **you are directed to** forward this email to the right people.

You are directed to make sure my testimony is not redacted in any way, shape or form, and is included in entirety in the meeting minutes.

PUBLIC TESTIMONY FOR NOVEMBER 2021 OHCC MEETING

The Oregon Provider Time Capture (OR PTC) has caused many Homecare workers to have late pay, missing pay, inability to get paid, etc...

Homecare workers have spent hours waiting on the phone to get answers and assistance to problems with OR PTC.

I warned members of the OR PTC that this was going to be a nightmare. Obviously, my warning was not heeded.

How much longer must Homecare workers endure OR PTC problems without getting compensated for time wasted?

DHS/OHCC needs to step up, do the right things (without bargaining) and treat care providers, who are front line essential workers, with dignity and respect.

This needs to happen immediately.

TIME IS OF THE ESSENCE!

Now that the OHCC and DHS has been made aware of their shortcomings and failures in a public meeting, they can not take the position they did not know.

Testimony respectfully submitted by,

Avery T. Horton, Jr.
Home Care Worker,
Citizen, Voter, Taxpayer
State of Oregon
As always, ACTING IN INDIVIDUAL CAPACITY

*** end of testimony ***

OHCC and APD are working to correct issues. We are providing support for workers and will have more updates.

Response:

OHCC Executive Director, Cheryl Miller, will provide Oregon Provider Time updates today on steps are being taken to support the workforce so that they can get paid timely. There are both administrative and worker errors being made. Cassidy Williams from Oregon Department of Human Services, Aging and People with Disabilities, will also provide an update.

OHCC Budget Report

Brian Holman, Oregon Department of Human Services (ODHS) Fiscal Analyst, presented the budget update.

Transactions from prior biennium were expense reimbursements.

2021-2023 biennium report should read “3 months out of 24 months.” Brian will correct this.

Overview

Total Budget: \$9,816,738

Total General Fund (GF) and Other Funds (OF): \$6,480,417

Federal Fund (FF) Budget: \$3,336,321

Total FF Expended: \$62,209 (1.86%)

Total Expenditures to Date (TF): \$598,492 (6.10%)

Projected Expenditures (TF): \$8,717,894

Projected Deficit: \$1,213,123

The deficit is based upon personal services coming in higher than originally budgeted due to double fills, accruing services, and supplies to be exhausted.

OHCC has several unbudgeted positions that we are seeking finances for. There are several double fill positions that OHCC is seeking funding for. This is where two people are working on one budgeted position, in which case the \$1,213,123 deficit is reasonable. A GF increase would reflect this. In the meantime, the double fill positions are being paid by vacant positions in another area to cover costs; this should be rectified in the next few months.

OHCC Administrative Budget

- Total GF and OF: \$6,137,769
- FF Budget: \$3,166,321
- Total Budget: \$9,304,090
- Total Expenditures to Date (FF): \$52,160 (1.65%)
- Total Expenditures to Date (GF & OF): \$520,131 (8.47%)
- Total Expenditures to Date (TF): \$572,291

OHCC Admin Units-Expenditures to Date

- Administration: \$420,363 (7.55%)
- Homecare Worker (HCW) Training: \$31,317 (1.53%)
- Employer Resource Connection (ERC) for HCW (FF Match): \$118,565 (10.87%)
- HCW Registry (Federal Funds [FF]) Match: \$0 (0.0%)
- HCC Commissioners: \$808 (7.39%)
- Workforce Development: \$1,238 (0.433%)
- Provider Parking Reimbursements: \$0 (0.0%)

The per diem increase from \$30.00 to \$151 will be seen in the coming months. The provider parking reimbursements was negotiated in the recent bargaining sessions.

PERSONAL SUPPORT WORKER (PSW) – DEVELOPMENTAL DISABILITY (DD)/MENTAL HEALTH (MH) BUDGET

- Total Funds (TF): \$262,349
- GF and OF Expenditures to Date: \$13,290
- FF Expenditures to Date: \$7,383
- TF Expenditures to Date: \$20,672

EXPENDITURES BY UNIT

Employer Resource Connection (ERC)

- TF: \$261,360
- Expenditures to Date: \$20,672

DD/MH Committee

- DD/MH Committee Budget: \$989
- Expenditures to Date: \$0

TRADITIONAL HEALTH WORKERS (THW) BUDGET

- Total Funds: \$88,000
- Expenditures to Date: \$196

ENHANCED AND EXCEPTIONAL WORKERS BUDGET

- Total Budget: \$162,299
- Expenditures to Date: \$5,332 (3.29%)

TRAINING STIPENDS-

- Expenditures to Date (TF): \$79,010
- PSW-DD: \$18,278 in expenditures to date (10.15%)
- PCA: MH Budget \$410 in expenditures to date (4.10%)
- HCW-APD: \$60,322 in expenditures to date (6.70%)

TRAINING REVENUE TO DATE

- Revenue (TF): \$0

Disability Services Advisory Council (DSAC)

Joseph Lowe provided the update.

October's Disability Services Advisory Council (DSAC) Staff Support & Advocates Quarterly meetings was greatly attended. We had presentations regarding social media options, budget, ONE, a partnership with OHA, and the Aging and People with Disabilities (APD) Director update.

All DSACs continue with holding meetings remotely until further notice. We are noticing that recruitment is becoming a struggle for everyone. There have been two DSACs to step up and agree to plan a pilot virtual recruitment event for their respective districts. Lane County will have their recruitment on November 8, 2021. Stay tuned for how well that works for them and if any other DSACs step up that would like to give it a try.

Continued efforts with Disability Emergency Management Advisory Council (DEMAC) (and the workgroups Response/Recovery and Housing Taskforce), ABLENet (Achieving Better Laws for Everyone, an Employee Resource Group, or ERG, for employees with disabilities), Incident Response Team (IRT), and APD's Service Equity Steering Committee, Public Transportation Advisory Council PTAC, APD Legislative Committee on Indian Services. We need to work on a positive partnership with the tribes and to get some representation.

OHCC Executive Director Report

Cheryl Miller, OHCC Executive Director, provided the updates.

- **Personal Protective Equipment (PPE) Requests**

- October 2021 PPE requests
- SEIU: 666; OHCC: 47; October Total: 713
- Total PPE Requests April 2020-October 2021: 8,826

- **Provider Time Capture Direct Care Innovations**

- Local offices and workers were responsible for errors. Local offices were unable to enter all the necessary information timely, resulting in workers receiving partial payments or no payments.
- Cheryl Miller received a call from the union on Friday and elevated the concern to the APD Executive Team of which she is part.
- OHCC meets with the union weekly on Tuesday to discuss PTC concerns, such as, late payment penalty requests and partial payments.
- OHCC partnered with the PTC team, OHCC Customer Relations and APD to develop the OHCC PTC PRO TIPS document for homecare workers and personal care attendants.
- The next pay submission deadline is November 10, 2021. OHCC will send reminders through text and email messaging to encourage to make any needed historical changes by the submission deadline.
- OHCC Customer Relations is hosting an OHCC PTC Frequently Asked Questions (FAQ) sessions for two days prior to the submission through the end of December. Information and support will be provided in Arabic, Somali, and Spanish. The first session is November 8, 2021.
- A PTC team member worked as a liaison to address local office trends and to resolve outstanding issues.
- OHCC has received 300+ requests from the Member Assistance Center (MAC) for late or partial payments. The APD Provider Relations Unit has processed over 700 payment adjustments. OHCC has one team member to assist with payment adjustments, and two people who work full-time on late payment penalty requests. If a worker is not eligible for late payment penalty fees and submitted their time correctly and still were not properly paid, they may be eligible for demonstrable costs, such as overdraft or late fees. Verifiable documentation must be submitted for reimbursement.
- Local offices are overwhelmed with all of the changes related to Oregon Provider Time Capture. We negotiated the placement of technological devices, such laptops, computers, and tablets for workers to use in APD/AAA local offices. This includes instructional guides.

Carewell Training Statistics (data as of October 27, 2021)

- Orientation: 8,575 completed since 5/2020.
- Core training for new workers: Online core: 3,364 completed; Core workshop: 2,138 completed
- Refresher training for current workers: Online refresher: 11,928 enrolled; 7,186 completed
- Refresher workshop: 7,182 eligible/4,765 completed

Refresher Training Information

- Workers enrolled before 9/1/21 must complete refresher training by 3/31/22.
- To receive credit for completing refresher training, workers must complete online refresher and the refresher workshop (12 hours total) unless they have an OHCC certification.
- They completed orientation and core training during the pilot period.

Continuing Education Curriculum

- Carewell submitted new continuing education trainings for review and approval that focus on Intellectual and Developmental Disabilities (I/DD): I/DD General Overview, Autism, Down Syndrome, Fetal Alcohol Syndrome, Fragile X, Prader Willi Syndrome, Rett Syndrome, and Traumatic Brain Injury.
- The Internal Curriculum Review Committee reviewed the training and provided feedback to Carewell. Carewell will make the suggested changes and resubmit.

Communication Plan Activities

- Carewell is entering workers who complete refresher training into a cash prize drawing. They will do the weekly and monthly drawings through December 2021 to encourage workers to take the refresher training early.
- Webinars are being planned for workers and local office staff to answer questions about required training.
- Reminder notices are being sent by Carewell and OHCC. OHCC uses email, text messaging, Elevate newsletter, and social media. Carewell is using email, postcards, mailers, and social media.
- Reminder notices are being added to workers' remittance advices.
- Information will be added to eXPRS that allows Personal Support Workers (PSWs) to see when their refresher training is due.
- The updated FAQs for consumers and workers were sent via email to everyone who had emails on file.

- Transmittals about required training and the updated FAQs have been sent to local offices.
- The Provider Relations Unit with Aging and People with Disabilities (APD) is sending reminder notices about core training. Core training must be completed within 120 days of enrollment.
- People can listen to the podcast at the Consumer FAQ:
<https://apps.state.or.us?Forms/Served/de2527A.pdf>
- Carewell is noticing good compliance with the trainings.
- The OHCC Connections Podcast web page has more information on the above topics: https://blubrry.com/ohcc_podcast/

OHCC is being asked to send communications out daily in many forms so that workers know how to enter their hours timely and accurately. We are committed to sending out reminders two days prior to the submission deadlines, so that providers can double check their entries and be paid timely.

Fed Listens 2021: Pandemic Recovery and the Role of Care Work November 18, 2021, 12:30-2:00 PM.

- OHCC Executive Director Cheryl Miller, has been asked to speak at this event. The discussion focus will be on making childcare more affordable. They are interested in learning more about OHCC's role, bargaining, wages, and training.

Work Incentives Network (WIN)

- Josh Goller (ODHS/APD) will attend our next OHCC Commission meeting on Thursday, December 2, 2021. He will be discussing Social Security Administrative benefits and employment.

OHCC and Carewell SEIU 503-Vaccine Incentive Program Partnership

- In August and September 2021, held 4 vaccine events in Roseburg, Salem, Pendleton, and Hermiston.
- The next event will be held November 15, 2021 in North Bend. (The October event was canceled due to lack of a vaccine provider).

Senate Bill 1534 Report

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Labor/Management Update

- **Joint Issues Committee-** recurring meeting the third Wednesday of the month from 3:00-4:00 PM.
- **Member Resource Center (MRC) and the Member Assistance Center (MAC)**
- Regular meetings occur the first Tuesday of the month to discuss complaints and grievances. We are now meeting every Tuesday to discuss PTC related issues and concerns.

- State Labor Relations Manager Weekly meeting-Standard meetings occur every Tuesday with Cheryl Miller and Nadja Gulley from the Oregon Department of Administrative Services, Labor Relations.
- OHCC Customer Relations Online Service- Publications has completed translations. The next step is to submit the translations to the SharePoint Team with the redesign of the OHCC website. This new online service will provide providers with an easy process to submit requests from their smart phone, smart device, or computer.

Oregon ABLÉ Savings Plan

Kaellen Hessel, Advocacy Outreach Manager for the Oregon ABLÉ Savings Plan, provided this information.

- **What is ABLÉ?**
 - Program created under state and federal law that is designed to help people with disabilities save or invest money without losing benefits
- **Why does ABLÉ exist?**
 - Money saved does not count against resource limits (examples: SSDI, SSI, SNAP, HUD, Medicare)
 - A person cannot save up to \$2,000 in traditional bank account without losing Medicaid or SSI benefits. In an ABLÉ account, they can save much more.
- **ABLÉ was designed for self-empowerment**
 - Beneficiary is the account owner (the person with the disability)
 - Program is built with an assumption of competence
 - IRS enforces the ABLÉ Act
 - Account owner decides who is eligible
- **Who can manage an ABLÉ account?**
 - You can manage your own account, even if you have a Rep Payee
 - Supported decision making is an option if you need help
 - Authorized legal representatives can manage account
 - Power of attorney is the least restrictive way for someone else to manage the account
- **Who qualifies for ABLÉ?**
 - Severity of Disability: Meet disability requirements for SSI or SSDI

- Age of Onset: Disability started before age 26. ABLE Age Adjustment Act would raise this to 46
- Option: Get disability certification from physician
- **What can you use ABLE to save for?**
 - Expenses to improve health, education, independence, or quality of life
 - Examples: education, housing, personal support services, legal fees, employment training, assistive technology, and more.
- **Account Limits**
 - One account per person
 - \$15,000 limit on annual contributions
 - \$100,000 limit before SSI benefits are affected
 - All other benefits continue
 - \$400,000 limit on all assets
- **Contributions**
 - Money may come from anywhere
 - Takes 3-7 business days for transfers
 - Must deposit \$10 minimum
 - Automatic transfers and/or payroll deductions are possible
 - Gifting-Others can contribute
- **Withdrawals**
 - Online banking transfers possible
 - Takes 3-5 business days for withdrawal from cash option
 - Takes 5-7 business days for withdrawal from investment option
 - ABLE will mail check for \$2.50 fee/per check
 - May use Oregon ABLE Prepaid Card for faster access
- **Federal Tax Benefits**
 - Tax-free growth on investments: Growth is tax free if used for qualified expense
 - Saver's Credit: Up to \$2,000 of contributions to qualify; designed for low to moderate incomes
- **Oregon State Income Tax Credit**
 - Anyone who contributes can take a refundable tax credit up to \$150 for single filers and \$300 for joint filers
 - You can get up to \$150 or \$300 back when you file your taxes

- **How to sign up**
 - Contact Information: Kaellen Hessel, Advocacy/Outreach Manager
 - Email: Kaellen.Hessel@ost.state.or.us
 - Phone: 503-378-6085
 - Website: www.oregonABLEsavings.com
- **Questions/Answers**
 - Per diem stipends may be deposited into an ABLE account. However, if the IRS or Social Security counts them as income, that could impact the account owner. Check with Josh Goller at the Work Incentives Network: Josh.Goller@dhsosha.state.or.us (He will be attending the December Commission Meeting).
 - A person may use the ABLE Savings Plan to start a business.

Oregon Provider Time Capture (PTC) Direct Care Innovations Report

Cassidy Williams from Aging and People with Disabilities (APD) provided the Oregon Provider Time Capture Direct Innovations (OR PTC DCI) update.

- **OR PTC DCI Update**
 - Prior to PTC, roughly 86% of workers were entering paper vouchers timely.
 - This number is currently around 73%-82% with PTC; however, there are many errors needing corrections.
 - EVV compliance is 69.2%; 29.4% are not EVV-compliant (i.e., historical time entries added after shift was worked).
- **Support Avenues**
 - Many providers understand PTC better now.
 - Call back option is available but frustrating for providers.
 - Call wait times are more reasonable now.
- **Pain Points**
 - Overwhelmed and overloaded local offices.
 - Bad timing-pandemic, major instructional technology changes happening, new required trainings for providers.
 - Providers with lack of technological knowledge and experience, exceeding authorized hours, time entry issues.
 - Influx of questions not being helped by the appropriate avenues.
- **Successes**
 - Staff becoming comfortable with PTC.
 - OHCC FAQ Sessions for Providers.
 - PTC Command Center.

- **PTC Project Phases**

- Phase 1: Statewide implementation of Electronic Visit Verification (EVV)
- Phase 2: Create connections between OR PTC DCI and existing mainframe system to alleviate manual entry
- Phase 3: Additional aggregation of programs (date to be determined)

- **Response from Cheryl Miller, OHCC**

- This is a major issue. OHCC has received 300 requests for late and partial payment penalty fees due mostly to administrative errors. Workers don't know what to do. They don't understand PTC codes.
- The APD Provider Relations Team has processed over 700 payment adjustments for workers, and requests continue to come in.
- This is a huge workload for us. We have several staff spending time on complaints and payment adjustments, taking them away from normal duties.
- Cheryl was contacted by the union last Friday and receives direct calls from angry workers who want to know why they were not paid timely or received partial payment. Late fees must be paid, also.
- We had Public Testimony today from an angry worker.
- OHCC is sending out reminders and tips to workers, taking phone calls, answering questions.
- Local offices are overwhelmed and are calling OHCC to complain.
- Phase 2 will be a significant improvement for workers and for local offices. This will help to alleviate human errors by connecting PTC and DHR Mainframe systems.
- There is a human aspect to this. People need to pay bills.
- When we see a trend in a local office, Jason Pruett contacts them and works with them to correct the situation.

Note: Cassidy will share this information with PTC Project Leadership.

- **Feedback from Customer Relations Coordinator, Andrea Kempel**

- Complaints from SEIU continue to pour in.
- Currently, there are 385 unopened emails in the Customer Relations Inbox.
- We are dealing with the aftermath when providers are not fully paid or are not paid at all.
- Customer Relations Staff is working overtime on these complaints which continue to come in.

- **Consumer Feedback**

- The unintentional human impacts include providers who are worried about not being paid, being unable to maintain cars for work, fill gas tank, and pay bills and rent.
- Consumers are worried about losing their care since many providers are ready to quit.

Oregon Association of Area Agencies on Aging (O4AD) Update

Commissioner Moore was not present.

Oregon Disabilities Council (ODC) Update

Commissioner King noted that they have not met recently. He will have an update next time.

Commissioner Reports

Commissioner Johnson provided the following report from Oregon Department of Human Services (ODHS) Aging and People with Disabilities (APD):

The Consumer workgroup has met twice regarding the Person-Centered Service Planning video project. Jimmy Wilder works with Publications and Creative Services as an Electronic Publishing Design Specialist, and he is assisting with all aspects of the video production process. The video will be used in various venues and organizations, although the primary focus will be for the person-centered service planning training for case managers. The Commission will own the video and will be able to decide how and where it may be used. The Workgroup is close to finalizing the script questions. Mat Rapoza will be the narrator, as in the previous video. Commissioner Johnson is seeking additional names of people receiving in-home services to include in the video.

The next meeting is on November 15, 2021. Once the consumer selection process is completed it will take a couple of months before the video is completed and ready to share.

Employer Resource Connection (ERC) Report

Nancy Janes provided the Employer Resource Connection Consumer Access Quarterly Report.

- Many people from the newly eligible list are accepting services
- The APD/DD STEPS Quarterly Narrative Report was reviewed.

- There is not a lot of in-person outreach, as people are unable to go into local offices.
- Virtual case management outreach meetings are occurring with PPL.
- There are calls going out to consumers for initial contacts.
- Nancy is working on amendments for funding on a couple of contracts, as well as a PCA amendment. She is also updating materials to reflect Provider Time Capture (PTC).

Training Report

Roberta Lilly, OHCC Training and Registry Manager, provided the following update.

Training Report

- In September 2021, there were 66 courses offered via webinar and on-demand.
- September - 749 providers attended courses.
 - 721 - PDC webinars
 - 28 - PDC on-demand courses
 - 25 - Enhanced and VDO certifications courses
 - 40 - Providers registered for the November Enhanced class
- There are currently two VDO cohorts happening
- We have two Spanish-speaking instructors; one will end his contract with us at the end of the year. Jose Pena came to us from Venezuela and has provided us with excellent service. He has accepted a fulltime position at Oregon Health and Sciences University (OHSU) as a researcher; he is also pursuing becoming a licensed physician in the United States. We will be recruiting another contract Spanish instructor; however, we will not be reducing the number of classes that we offer, as we still have one Spanish-speaking instructor with us.
- The Elevate Newsletter is now also distributed in Spanish.

Virtual CPR/First Aid RFP

- The Virtual CPR/First Aid RFP will close on November 9th; scoring will take place soon after the RFP closes. There may be 3 or 4 proposals.
- **PACE-Professional and Continuing Education through Oregon State University**
 - Weekly meetings with contractor continue.
 - Programming for “Certification Dashboard” is in progress.
 - Additional on demand courses are coming soon.
 - Workers can access PACE with ease.

- **Course updates:**

- Mental Health First Aid certification will be coming back around the first of the year; it will be a webinar style training.
- Family Caregivers' course is in progress and will be webinar style training.
- Driver Safety and Introduction to Cultural Competency will be added to on-demand courses in PACE within a month.
- We completed the first Russian COMPASS cohort which ran from August 2, 2021-October 25, 2021. A second cohort began on November 3, 2021 and will go through January 26, 2022.
- The Spanish COMPASS curriculum is still being translated.

- **Staff Updates**

- Training and Development Specialist 2 – recruitment in place for a job rotation.
- Janet Shevchenko, AS1, accepted a promotion in the Oregon Department of Human Services (ODHS) Human Resources department as a OPA1. She will be working on the Workday project; recruitment has begun for the OHCC AS1 position.
- Donna Hendricks, Office Specialist 2 (OS2), accepted a promotion with Publications and Creative Services; her position will be posted soon.

Business for next agenda

None.

Adjournment

The meeting was adjourned at 1:16 PM by Chair McEwen

2021 Attendance Record

Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Johnson	P	P	P	P	P	P	P	P	P	P	P	
King	E	P	P	P	P	P	P	E	P	P	P	
McEwen	P	P	P	P	P	P	P	P	P	P	P	
Moore	P	E	P	U	P	P	E	E	E	P	E	
Volpe	P	P	P	P	P	P	P	E	E	P	P	
Wentzell	P	P	P	P	P	P	P	P	P	P	P	

E=Excused, U=Unexcused, I=In-Person, P=Phone, effective 3/1/18

Attachments:

- Home Care Commission Minutes-October 7, 2021
- Home Care Commission Agenda-November 4, 2021
- OHCC Executive Director Report
- November THW/DD/MH Monthly Report
- November 2021 Sentate Bill 1534 Update
- Home Care Commission Budget Report-September 2021
- ERC APD Timelines, July-September 2021
- ERC Quarter 3, July-September 2021 Narrative
- Oregon ABLE Savings Plan-2021
- Training Report October 2021
- Training and Registry Report November 2021
- PTC Update
- HCW Workers' Comp Report November 2021
- PSW Workers' Compensation Report November 2021
- Program Analyst for DSACs Update