



Oregon Home Care Commission (OHCC)
Meeting Minutes
April 7, 2022

Members Present:	Ruth McEwen (Chair), Mike Volpe, Mark King, Randi Moore, Paul Johnson, Marsha Wentzell
Members Absent:	
Others:	Brian Holman, Gwen Ayers (PTC)
Staff:	Cheryl Miller, Roberta Lilly, Jenny Cokeley, Heidi Alasio, Miguel Cordova, Andrea Kempel

Meeting Called to Order

The meeting was called to order at 10:04 AM by Chairperson McEwen.

Introductions

None.

Adoption of Agenda

Commissioner Johnson **moved** to approve the agenda. Commissioner King **seconded. Motion carried.**

Approval of Minutes

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

Announcements

Cheryl Miller noted that we may not have the Traditional Health Worker report today, as Abdirizak Ahmed is out today.

Public Testimony

OHCC Executive Director, Cheryl Miller, read Avery Horton's public testimony, as he refused to read it himself. This was submitted on April 4, 2022, at 2:10 PM.

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.

*** begin testimony ***

PUBLIC TESTIMONY FOR APRIL 2022 OHCC MEETING

Even though DHS/OHCC and SEIU LOCAL 503 have settled a grievance regarding late pay, the problem perpetuating late pay has not been resolved.

Allow me to reiterate...

There are 3 components to a computerized payroll system: 1) hardware (computer equipment); 2) software (computer programs); 3) Management (policies and procedures).

The problem is workers are not being paid timely and accurately. Let's take a look at the 3 components to determine exactly where the problem resides.

1) Hardware. All but once in 6 years, I have been paid timely and accurately. So the hardware functions properly. That blows the "antiquated hardware" excuse out of the water.

2) Software. All but once in 6 years, I have been paid timely and accurately. So the software functions properly when given the correct data in a timely manner. That blows the "antiquated software" excuse out of the water.

That leaves...

3) Management. There's a saying about computers, "Garbage in, garbage out". In other words, if data is not going in accurately and timely, then guess what, **WORKERS WON'T GET PAID TIMELY AND ACCURATELY!!** Why aren't there policies and procedures that ensure data is entered accurately and timely? Why aren't there policies and procedures that catch data errors before workers are affected adversely?

Think about it. The problem of workers not being paid timely and accurately existed **BEFORE** the ORPTC was implemented. So the problem can't be blamed entirely on the ORPTC. Obviously, OHCC/DHS management does not make paying workers timely and accurately a priority. The real problem is OHCC/DHS management are not being held accountable. In the private industry, if I didn't get any payroll problems fixed by payday, I would have been fired. But I did have an incentive to fix it because my pay came out of the same system.

Failing to pay workers timely and accurately is gross incompetence and ineptitude on the part of the State considering this has been going on for years and years. Someone should be fired. The question is *who is ultimately responsible for ensuring workers get paid timely and accurately?* **I demand an answer today!**

The attitude expressed by DHS/OHCC towards those workers who received partial pay that those workers were not entitled to the late payment penalty is one of disrespect and disdain to over 30,000 essential workers. That's why grievances were filed. Anything less than a formal apology continues the disrespect.

One must wonder what other problems and failings are ongoing within DHS/OHCC. Perhaps the Secretary of State (SOS) should do a forensic audit. After typing that, I searched the SOS website and found the following:

[Content Manager WebDrawer - OHA Health Authority Statewide Single Audit of Selected Federal Programs For the Year Ended June 30, 2020](#)

According to the SOS audits, information systems management and data processing are NOT your best skills.

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 response:

There is no one person or department who is responsible for paying workers. There are many people involved in this process. This is not a payroll system that providers are paid through. Providers are paid through a claims management system that is connected to authorizations, and providers must be authorized to work before performing services for consumers. It's not a fiscal intermediary payroll system.. Multiple parties enter information into the system. Right now, providers enter their information into the Provider Time Capture (PTC), and then it is entered into the claims management system.

Avery demanded the name of one person who is ultimately responsible, and there is no one person. He wants the record to show that his question remains unanswered.

OHCC Budget Update

Brian Holman, Oregon Department of Human Services (ODHS) Fiscal Analyst, presented the February 2022 budget report.

OHCC BUDGET

- Total Budget-\$9,816,738
- General Funds (GF) & Other Funds (OF) Budget-\$6,480,417
- GF & OF Expenditures to Date-\$1,568,382 (24.20%)
- Federal Funds (FF) Expenditures to Date-\$200,249 (6.0%)
- Total Fund Expenditures to Date-\$1,768,631 (18.02%)
- Projected Deficit (GF & OF)-\$592,504

OHCC ADMIN BUDGET

- Total Budget-\$9,304,090
- Total GF and OF expended = \$1,516,204 (24.70%)
- Total FF expended = \$171,458 (5.42%)
- Total Expenditures to Date = \$1,687,662 (18.14%)

OHCC Admin Units – Breakdown of the Admin budget referenced above.
The admin units consist of:

- **Administration** - \$5,570,010
- **Homecare Worker (HCW) Training** - \$2,050,543
- **Employer Resource Connection (ERC) HCW** - \$1,090,399
- **HCW Registry (Federal Funds [FF]) Match** - \$82,058
- **HCC Commissioners** - \$10,934
- **Workforce Development** - \$378,146
- **Provider Parking Reimbursement**- \$120,000

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

The total expended to date is \$ out of the \$ budget. The PSW – DD/MH units consist of:

- TF Budget - \$262,349
- GF/OF Expenditures to Date - \$42,047
- FF Expenditures to Date - \$21,835
- TF Expenditures to Date - \$63,882

Expenditures by Unit:

- ERC for PSW - \$261,360
- ERC Expenditures to date - \$63,882 (24.44%)
- DD/MH Committee Budget - \$989
- DD/MH Expenditures to date - \$0.00 (0.0%)

TRADITIONAL HEALTH WORKERS (THW) BUDGET

- Total Budget - \$88,000
- Total Expenditures to Date - \$2,708
- THW Training Budget - \$86,500
- THW Training Expenditures to date - \$2,708 (3.13%)
- THW Committee Budget - \$1,500
- THW Committee Expenditures to date - \$0.00 (0.0%)

ENHANCED AND EXCEPTIONAL WORKERS BUDGET

- Total Budget - \$162,299
- Total Expenditures to date - \$14,380 (8.86%)

TRAINING STIPENDS-\$1,090,000 available

The total expended to date is \$228,820

- PSW – DD \$47,591 (26.44%)
- PSW – MH \$1,514 (15.14%)
- HCW - \$179,714 (19.97%)

TRAINING REVENUE TO DATE –

- Total Funds- \$425

Governor's Commission on Senior Services (GCSS)

No update

Disability Services Advisory Council (DSAC)

No update.

Oregon Association of Area Agencies on Aging (O4AD) Update

Commissioner Moore reported that Emily Farrell, the Chair at O4AD, is leaving her position at Lane Council of Governments, and they will be looking for a replacement Chair for the organization.

Phil Warnock said that there is momentum to discuss non-emergency medical transportation (NEMT) in the legislative session, then it stalled. O4AD is working on this. Commissioners are interested in hearing more on this topic.

Commissioner Wentzell is interested in the topic, as there are profound issues around this. Ellen Pinney and the Ombudsman Advisory Council has been active on this issue, and great effort is needed to improve.

Commissioner Moore noted that there are issues in her service area. She mentioned a situation where a consumer could not get transportation to appointments only a mile away from his home, because he lives across a county line from the appointment

locations. She will invite Phil Warnock and a possible panel to a future HCC meeting to discuss NEMT.

Commissioner McEwen notes that there is a sub-committee of the Medicaid Advisory Committee called MAC Consumer Voice Subcommittee that is looking at direct personal care for people and their immediate needs. Joseph Lowe would be knowledgeable in this area.

Commissioner McEwen noted that the MAC Consumer Voice Subcommittee is now the “Advancing Consumer Experience” subcommittee. It was formed to better understand OHP consumer experiences, identify common challenges, and develop recommendations to improve OHP member experiences.

Commissioner Moore: The legislative session has closed. O4AD did not have any bills on the docket this session. The Medicaid Match Project for Oregon Project Independence and Family Caregiver Supports (OPIM) is starting to unfurl. The program would support people who are using Oregon Project Independence (OPI) services and could qualify for Medicaid, but for some reason they aren’t utilizing them. Medicaid Match could be used to support these consumers which would help make the OPI budget more robust. The plan is for a soft launch of OPIM in July 2022 for consumers who are currently on OPI. With more expansion in the fall, Jane-Ellen Weidanz would be an excellent presenter to HCC in the near future about the program.

In Randi’s area, a large number of OPI consumers would qualify for OPI-M project. More research is needed to see how many consumers would need to remain on the traditional OPI system. One question that needs to still be determined is what level of funding is needed to continue to serve those people.

Oregon Disabilities Council (ODC) Update

Commissioner King reported that Mike McCormick provided an Aging and People with Disabilities (APD) Director Recruitment update. Max Brown gave legislative session results. Connie Saldana spoke on The Emergency Preparedness Project. Josh Goller provided an update on the compensation increase. They added their first meeting for the ADA Celebration Planning. The next meeting will be April 11, 2022.

Aging and People with Disabilities (APD) Update

No update.

Executive Director's Report

Cheryl Miller, Executive Director, provided the report for March 2022:

Health & Safety

Below is a recap of the PPE reports that can be found on the [OHCC Health & Safety](#) web page.

OHCC/SEIU	February 2022	March 2022	2022 Total	Total April 2020- March 2022
SEIU	144	625	1,774	10,131
OHCC	57	70	190	1,066
Grand Total	201	695	1,964	11,197

Vaccine/Booster Clinics-March 2022

Events held from August 2021-March 2022--369 provider gift cards, and 599 people received vaccines or boosters.

OHCC partnered with:

- Oregon Health & Sciences University (OHSU)
- Carewell SEIU 503 Benefits
- Life Change Church
- Rosedale Elementary School Operations

March 5, 2022, Life Change Church Vaccine Event

- 62 total doses
- 25 provider gift cards

March 16, 2022, Rosedale Elementary Vaccine Event

- 73 doses
- 17 provider gift cards

OHCC is planning a larger event in Woodburn, Oregon. OHSU brings supplies for adults and children. OHCC, OHSU, Carewell, and SEIU 503 communicates events through social media.

OHSU and OHCC will be meeting to discuss ways to serve homebound consumers for COVID-19 vaccines. Commissioner Wentzell suggested adding in flu shots and pneumonia vaccines for consumers, as well. OHCC has requested flu shots at vaccine events, but it was problematic due to the different payment process.

Stay Safe-Wear a Mask or Cloth Face Covering

OHCC has updated their Stay Safe-Wear a Mask or Cloth Face Covering page aligned with OHA guidelines. Providers still need to wear a mask when providing services in the consumer's home. Options are available for consumers with hearing issues. [Stay Safe – Wear a Mask or Cloth Face Covering](#)

Carina Registry

OHCC has been working with Carewell SEIU 503 and Rise Partnership on launching the Registry and the existing data exchange agreement. In communicating with OIS and the Department of Justice (DOJ), they have determined that the provider registration and verification points are appropriate.

- ODHS will create a webservice pinged by Carina. MMIS and ODHS Mainframe are being considered.
- Timeframe is to be determined
- The project is prioritized
- First Carina Kickoff meeting occurred on April 1, 2022, and included all CMEs and APD/AAA local offices, Publications Staff, Program Staff, Communications Staff
- Preparation for 3 pilot areas in Clackamas, Lane, and Marion counties is underway
- OHCC will communicate to consumers and local offices

Parking Reimbursement

- OHCC is reimbursing providers for parking near consumer's home
- Must be verifiable
- Effective from November 12, 2021, when contract was ratified
- First payment has been processed April 6, 2021

Seeking Commissioner Members

- OHCC has vacancies
- Interested in I/DD and MH community, rural areas, diverse representation
- [Boards & Commissions](#)

Labor Management Committees/Workgroups

- Joint Issues third Wednesday of the month
- Provider Training Committee
- DD/MH Committee
- MAC/Customer Relations Team meets each Tuesday
- PTC/APD to ensure changes needed are happening

PTC Settlement Agreement

- March 25, 2022 agreement was reached
- Partial payments will be paid out within 60 days
- \$150 per incident from August 1, 2021 -March 12, 2022
- Non-taxable

Avery Horton wants a list of providers regarding this settlement. He wants to know why ODHS/OHCC made providers file a grievance for this to be paid. If pay isn't accurate, it is late.

OHCC Response: The way the CBA was written, a late payment is not a partial payment; however, in the settlement agreement we have agreed to pay penalty fees on late and partial payments moving forward.

Refresher/Required Training

Percentage of all active providers who completed trainings as of April 4, 2022:

All Provider Types	64%
HCWs	64.7%
PCAs	57.8%
PSWs	65.7%

Percentage of paid providers meeting requirements:

All provider types	83.2%
HCWs	79.2%
PCAs	82.5%
PSWs	88.4%

Consumer Resources

[Elevate Newsletter](#)

[Oregon Home Care Commission Meeting Agendas & Minutes](#)

[Employer Resource Connection Older Adults & People with Physical Disabilities](#)

[Contacts](#)

Avery Horton requests a copy of the Executive Director Report. Cheryl Miller will email this to him.

Provider Time Capture (PTC)

Gwen Ayers, APD Business Analyst, provided the report.

OR PTC DCI has “How To” videos available on the PTC website. Here is the link:

<https://www.oregon.gov/dhs/APD/ORPTC/Pages/Library.aspx>

COMING SOON

The Learning Materials Catalog has a new look.

System Update as of February 16, 2022:

- Providers can no longer make entries that are 24-hours+
- When a provider tries to clock out after being clocked in for 24-hours or more, the system will reject their time entry and will not save it
- Providers will need to create a historical entry for any time worked during that time period
- They will need to do this through the web portal, not the app
- Reminder: Time can be claimed within 365 days after the date worked

Plans for Provider Training

- PTC Training team is working with Carewell to update their learning materials on how to use the OR PTC DCI system. PTC and Carewell material will be integrated for the purpose of training new providers.

Phase 2 Design

- The PTC Team has started Legacy Design Meetings to discuss what changes need to be made to Legacy systems. This is in the early stages.
- Legacy systems include the current state software
- PTC will eventually connect with state software systems

New Posts When Logging In

- When providers or staff log into the PTC system, they may notice new posts. These are helpful tips and links for providers that will notify them of any system updates.

Training Report

Roberta Lilly, OHCC Training and Registry Manager, reported.

- There were 73 classes in February 2022.
- 926 providers attended On-Demand courses through PACE
- Vdq Certification students have until July 2, 2022 to complete training and will continue to receive their \$3.00/hour increase until they finish.
- An additional evening Vdq course has been added.
- Another morning Vdq Cohort will begin in May.
- The Training Unit had 1231 calls in February.

Course Updates

In-person classes will resume in May 2022. All courses will continue to be offered on webinar. Enhanced and Vdq courses will be on webinar. Enhanced will be a blended model with half on-demand through PACE, and the other half will be with a live instructor on webinar.

Oregon Intervention Systems-General (OIS-G) for Personal Support Workers (PSWs) is in place again. OHCC pays their tuition for live classrooms with instructors. There is an easy application process, and PSWs are signing up.

Mental Health/First Aid in-person classes will begin again as soon as possible. There will be one in Eugene, Albany, and Coos County. Courses will be added as availability comes. Students can earn 8 hours towards a Professional Development Certification (PDC) by taking this full-day training.

Tactile sign-language has been added to the Registry. Workers can contact us if they have questions about supporting consumers who are blind and/or deaf.

PACE Learning Management System is a customized programming. They are working to schedule instructors and giving them special rights to take attendance and view students. It will also allow instructors to view which courses students have previously taken.

Employer Resource Connection (ERC)

Nancy Janes, OHCC ERC Coordinator, provided the update.

- 302 new consumers were assisted in January-February 2022
- 14,826 total first-time participants
- 37 new individuals received assistance through the PCA Program
- Paul Johnson met with ERC consultants in March. They will work with the APD Training Unit to train new case managers about the ERC Program and its interconnectivity.

Oregon Council on Developmental Disabilities (OCDD)

Leslie Sutton, Executive Director OCDD, reported.

OCDD Background

The council spends most of their time on leadership and policy to support people. The Council is federally funded through the Developmental Disabilities Act. To create that law, families and adults with developmental disabilities decided on three things to improve lives:

1. Legal advocacy and abuse protections-Out of this came Disability Rights of Oregon (DRO). These are normally independent, non-profit organizations.
2. Research and evidence-based data for best practices (University Centers on Excellence and Developmental Disabilities, housed at universities).
3. Councils for leadership and policy support. Each state and territory have a council that is federally funded by the Developmental Disabilities Act. They are funded through the Administration on Community Living (ACL) at the federal level.

The council is federally funded and has about 25 members. Two-thirds of their members either experience developmental disabilities (DD), or they have a family member with DD.

- The council has a 5-year plan governing their work including:
 - People are able to access needed services
 - Systems change meet the needs of people with DD

- Leadership training includes history of DD services in Oregon; ADA; education laws; behavior is communication (non-criminalization of behavior); advocacy and public speaking
- Policy steers work
 - Tracking legislative bills affecting the DD community
 - Work with Developmental Disabilities Coalition (DDC)
 - List past and upcoming legislative DD bills
 - Senate Resolution 201 (2022 Session) honoring Kathryn Weit:
<https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/SR201/Enrolled>

Developmental Disabilities/Mental Health Committee

David Vining, OHCC Policy Analyst, reported.

OHCC Training Program

- Roberta Lilly provided updates. Webinar courses will continue, and in-person trainings will resume in May 2022.
- Two Mental Health/First Aid courses will be scheduled.
- OIS-G is approved for in-person classes; apply through Alchemer survey.

Carewell Training Process Post March 31, 2022

- David Vining reviewed mandatory refresher training requirements
- Roughly 35% of providers still need to complete trainings
- OHCC/SEIU 503 are meeting April 15, 2022; update to follow.

Workers' Compensation Report

- Kelly Rosenau provided the October-December 2021 quarterly report.
- Included were PSW injury claims, reasons for most injuries and most common body parts injured.

Life-Course Training

- Rebecca Hill and Shelly Reed shared information on Life-Course Training and how to help providers understand needs and dreams of consumers.
- There is ongoing discussion on its use and future availability to providers.

Mask Mandates

- Discussion revolved around when to resume in-person meetings or to continue with hybrids. Still awaiting decision.

Organization Chart for PSW Discussion

- This is a work in progress. Moved to June 2022 meeting.

Carewell/SEIU 503 Curriculum Adoption

David Vining requested approval for the Continuing Education Modules.

Topics included: Assistive devices and transfers; lifts and positioning; housekeeping; personal protective equipment (PPE); stress management; two supplemental modules for Cultural Competency.

- The Internal Review Committee (IRC) reviewed 12 hours of training.
- Inclusivity and finding diverse actors were priorities.
- Values of OHCC and Oregon Department of Human Services (ODHS) reflected.

Commissioner Wentzell **moved** to approve. Commissioner Moore **seconded**.
Motion carried.

Adjournment

The meeting was adjourned at 12:PM by Chair McEwen.

2022 Attendance Record

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

E=Excused, U=Unexcused, I=In-Person, P=Phone

Attachments:

- Agenda, April 7, 2022
- March 2022 OHCC Meeting Minutes
- OHCC Budget Report, February 2022
- OHCC March 2022 Executive Director's Report
- PTC April 2022 Report
- February 2022 Training & Registry Report
- April 2022 DD/MH Committee Report
- January-February 2022 ERC Report Bimonthly Statistical Report
- Internal Review Committee Curriculum Approval Request