



Oregon Home Care Commission (OHCC)
Meeting Minutes
May 5, 2022

Members Present:	Ruth McEwen (Chair), Mike Volpe, Randi Moore, Paul Johnson, Marsha Wentzell, Mark King
Members Absent:	Randi Moore
Others:	Fariborz Pakseresht, Samantha Kaan, Joel Metlen, Dion Jordan, Melissa Smith, Mike McCormick, Brian Holman, Joseph Lowe, Stephanie Stephens, Bhagavati Mullock, Delilah Sheng Yang, Sunny Petit,
Staff:	Cheryl Miller, Roberta Lilly, Jenny Cokeley, David Vining, Abdirizak Ahmed, Andrea Kempel, Heather Pelcha, Candi Sucik, Coleen Thompson, Tricia Wright-Coleman, Miguel Cordova, Nancy Janes, Casey Baxter, Brenda Hoffman, Heidi Alasio

Meeting Called to Order

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

Introductions

Introductions were made.

Adoption of Agenda

Commissioner King **moved** to approve the May 5, 2022 agenda. Commissioner Johnson **seconded**. **Motion carried.**

Approval of Minutes

Commissioner Wentzell **moved** to approve the April 2022 OHCC Meeting minutes. Commissioner King **seconded**. **Motion carried.**

Announcements

Commissioner Randi Moore is unable to attend today.

Cheryl Miller announced Mike McCormick's resignation. He will be with us through July 1, 2022 then will be taking some time off. He will return to state service in some capacity in the future.

Public Testimony

Cheryl Miller shared public testimony from Mr. Avery Horton on May 3, 2022.

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 MAY OHCC MEETING

While taking the WORKING TOGETHER class, I had the following thought:

What happens when a worker's consumer is sick, takes a vacation or just cancels their shift(s)? The worker doesn't get to earn. Their bills may not get paid.

The solution is workers need a paycheck replacement fund.

Do you have any idea how this could be implemented? How many paychecks should this cover? What instances, if any, of a homecare worker not being able to work due to their employer would not be covered?

My guess is the OHCC response will be this is a matter for bargaining. But let's remember the workers we are discussing are front line essential workers.

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: Avery answered his own question. Also, the union has the ability has the ability to provide additional benefits for their members. They could also choose to go through the bargaining process.

A second public testimony was sent from Avery Horton on May 3, 2022.
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 MAY 2022 OHCC MEETING

Let me start off by thanking the OHCC staff for their professional and timely responses to my inquiries regarding training and certification. I just want them to know their efforts are appreciated.

DHS/OHCC also made good on delivering the late payment penalty checks on time as promised. Good job!

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: Mr. Horton's positive comments are appreciated.

OHCC Budget Update

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

OHCC ADMIN BUDGET -\$9,916,680

- Total General funds (GF) and Other Funds (OF) expended to date - \$6,580,359
- Total GF and OF expended to date - \$1,751,779 (26.62%)
- Total FF expended to date - \$276,317 (8.28%)
- Total Expenditures to Date - \$2,028,096 (20.45%)
- Projected Expenditures (TF)- \$6,403,805
- Projected Deficit - \$422,300

OHCC Admin Budget (Total Funds) - \$6,237,711

- Total GF & OF expenditures to date - \$1,681,427 (26.96%)
- Total FF expenditures to date - \$242,607 (7.66%)

- Total expenditures to date - \$1,924,034 (20.46%)

OHCC Admin Units – Breakdown of the Admin budget referenced above, noting expenditures to date:

- **The total admin budget** - \$5,664,156
- **Administration** - \$1,299,678 (22.95%)
- **Homecare Worker (HCW) Training** - \$132,751 (6.45%)
- **Employer Resource Connection (ERC) HCW** - \$467,852 (42.91%)
- **HCW Registry (Federal Funds [FF] Match)** - \$11,866 (14.49%)
- **HCC Commissioners** - \$2,043 (18.23%)
- **Workforce Development** - \$9,813 (2.59%)
- **Provider Parking & Reimbursement** - \$0.00 (0.00%)
- **PERSONAL SUPPORT WORKER (PSW) – DEVELOPMENTAL DISABILITY (DD)/MENTAL HEALTH (MH) BUDGET**
- Total Budget - \$262,3349
- Total expenditures to date (GF & OF) - \$56,143

The PSW – Developmental Disabilities/Mental Health (DD/MH) Units

- ERC for PSW expenditures to date – \$78,933 (30.22%)
- DD/MH Committee expenditures to date - \$0.00 (0.00%)

TRADITIONAL HEALTH WORKERS (THW) BUDGET

The total budget - \$ 88,000

- THW Training - \$2,882 (3.33%)
- THW Committee - \$0.00 (0.00%)

ENHANCED AND EXCEPTIONAL/Ventilator Dependent Quadriplegia (VDQ) WORKERS BUDGET

- Total Budget - \$162,299
- Expenditures to date -\$22,187 (13.67%)

TRAINING STIPENDS

- Total budget -\$1,090,000
- Total expenditures to date - \$264,498
- PSW – DD expenditures to date - \$54,461 (30.26%)
- PCA-HSD - expenditures to date - \$1,689 (16.89%)
- HCW expenditures to date \$208,348 (23.15%)

TRAINING REVENUE TO DATE - \$425.00

Disability Services Advisory Council (DSAC)

None.

Oregon Association of Area Agencies on Aging (O4AD) Update

None.

Oregon Disabilities Commission (ODC) Update

Commissioner King noted that the next meeting is May 12, 2022. The ADA Celebration will be held every Tuesday in July from 11:30 AM-1:00 PM via webinar.

Aging and People with Disabilities (APD) Update

None.

Executive Director's Report

Cheryl Miller, Executive Director's report

Health & Safety

Personal Protective Equipment Requests

OHCC & SEIU	April 2022	2022 Total	Total April 2020-March 2022
SEIU	123	1,897	10,254
OHCC	31	221	1,097
Total	154	2,118	11,351

Vaccine/Booster Clinics-April 2022

Events held from August 2021-April 2022-369 provider gift cards were given.

OHCC partnered with:

- Oregon Health & Sciences University
- Carewell SEIU 503 Benefits
- Rosedale Elementary School Operations

Event	Date	5-11	12+	Total Prime	5-11 Second	12+ Second	Total Second	Booster/ Additional	Total Doses
Rosedale Elementary, Hillsboro	4/13/2022	2	2	4	15	5	20	52	76

- Future Events-Woodburn
- OHCC and Carewell SEIU 503 Benefits Meeting scheduled to discuss the future of these events.

ORCHARDS Background Checks

The pandemic variance for background checks with Federal mandates for fingerprints has ended. Effective May 1, 2022, the Background Check Unit (BCU) will begin fingerprinting subject individuals (SIs) based on rule (OAR 407-007-0250 (10)). This includes OHCC providers. This information has been communicated to the union, to the Member Assistance Center (MAC), and in our Joint Issues Committee Meeting. Information is available on our website:

[Applicant authorization and disclosure questions](#)

[Disclosure details](#)

Provider Pay Issues October 2021-March 2022

These were received for all worker types from the MAC. In November 2021, we had 311 complaints for 2 people to investigate and process.

We have a significant decline. As of March 12, 2022, we are also paying late payments and partial payment penalty fees. Payment issues from January 2022-March 2022 have been resolved.

Homecare Workers-does not include Partial Payments

The number of late payment penalty fees approved from October 2021-March 2022 were reviewed.

HCW Late Payment Penalty Fees	
Payment Processing Date	Penalty Fees Approved
October 11, 2021	14
October 26, 2021	67
November 8, 2021	31
November 23, 2022	19
December 8, 2021	21
December 20, 2021	20
January 5, 2022	13
January 18, 2022	11
February 1, 2022	13
February 14, 2022	18
March 1, 2022	10
March 14, 2022	7
March 28, 2022	9

OHCC and MAC will be discussing an online tool for pay issues only. Providers and union members could submit requests and/or complaints through this tool.

Labor/Management Meetings

OHCC continues to meet with the Joint Issues Committee, the Provider Training Committee, the Developmental Disabilities/Mental Health (DD/MH) Committee, and the Member Assistance Center (MAC).

PTC Settlement Agreement-March 25, 2022

Partial Payments	\$150 per incident	August 1, 2021- March 12, 2022	Checks mailed April 27, 2022
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Refresher-Required Training as of May 4, 2022

All Active Providers Meeting Refresher Training Requirements					
Provider Type	Total Providers	Training Incomplete	% Incomplete	Training Completed	% Completed
All	37,433	10,991	29.4%	26,542	70.7%
HCW	19,750	5,515	27.9%	14,235	72.1%
PCA	407	144	35.4%	263	64.6%
PSW	18,390	5,473	29.8%	12,917	70.2%

Providers (paid within the past 3 months) Meeting Refresher Requirements						
Provider Type	Total Providers	Training Incomplete	Total Paid Providers	% Incomplete	Training Completed	% Completed
All	37,433	26,053	2,725	10.5%	23,328	89.5%
HCW	19,750	14,518	1,934	13.3%	12,584	86.7%
PCA	407	259	31	12.0%	228	88.0%
PSW	18,390	12,210	829	6.8%	11,381	93.2%

The deadline has been extended to June 30, 2022 for providers to complete the required trainings.

Carina Registry

- We are seeking a solution to the ODHS webservice.
 - MMIS is the current focus
 - DHR Mainframe is also a priority

- Additional work includes:
 - Determining timeframe to create webservice
 - Prioritizing the project
- Carina Stakeholder & Communication Workgroup Meetings
 - Two stakeholder meetings have occurred
 - Pilot will occur in Lane, Clackamas, and Marion counties
- April 1, 2022 stakeholder meeting recording is available

Commission Recruitment

OHCC positions available:

- Recommend one person to join the commission
- 2 consumer vacancies
- GCSS representative recommendation

How to apply:

[Boards & Commissions web page](#)

Application steps:

New Applicants and Applicants/Current Board member with a CW number:

- Go to the Boards and Commissions Workday webpage – [HERE](#)
- To apply, use the instructions, starting at step 2, outlined – [HERE](#) (pdf)

Applicants who are Current State Employees or Current Board Members with an OR number:

- Log in to Workday – [HERE](#)
- To apply, use the instructions outlined – [HERE](#) (pdf)

Commissioner Resources

[OHCC Commissioner manual](#)

[Oregon Home Care Commission meeting agendas and minutes](#)

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

[Elevate Newsletter](#)

The Elevate Newsletter

- Lists courses and provider updates
- Available in English and Spanish

Aging and People with Disabilities (APD) Director's Report

Mike McCormick, APD Director, reported.

Mike will resign from APD effective July 1, 2022. This has been a difficult decision, and he will likely come back in a year. He is already stepping back from a leadership role and is allowing others to emerge. Mike greatly appreciates the staff and time he has worked at APD, and he will remain available for urgent matters through September 2022.

Several years ago, Mike attended a conference Leading States Conference. The role of an advocate is to advocate and to tell people and agencies how to improve services. Push APD continually and engage in the legislative process. Bring a consumer voice to policies and budget decisions. Make leaders uncomfortable and apply pressure. Make leaders answer for themselves.

Mike is proud and grateful for all the work accomplished and regrets work left uncompleted. He believes the new leader will bring new breath and energy into APD.

Commissioner McEwen wants to know his goals for OHCC to tackle next. Removing barriers for high quality in-home care. We eliminated consumer contribution towards employer's services. Mike considers this one of his proudest accomplishments.

Jane-Ellen Weidanz served three months on the Discharge Assistance Team during the Omicron surge. The process of transferring a person from a hospital to a nursing facility has become very institutionalized, although it was the avenue with the fewest barriers. Problems can happen to people in their own homes, including equipment arrival times and sufficient caregiver skill sets. People in care facilities may decompensate due to habits in lack of mobility. There need to be better skill development, better, training, improved wages and benefits to support a robust and highly skilled workforce.

Approximately 54% of consumers are served in their own homes, and 12% are in nursing facilities. He would like to see the nursing home consumer level at 10%. COVID-19 has changed peoples' perspectives on long-term care (LTC) and where people want to receive services. Demand is down for LTC facilities. This is not a

criticism of 24-hour care settings, as he appreciates all care settings being available to consumer and wants to know that supports are in place for them.

- Foster
- Assisted Living
- Nursing
- Memory care
- Long Term Care
- In-home services (preferred by Oregonians)

Mike appreciates all of the employees, advocates, and volunteers. He hopes to re-appear in the workforce in some capacity in the future. He sees a bright future full of talent for the APD program. He would like to see legislative relationships improve. We received over \$100,000,000 in new investments this biennium. Legislators are supportive and need direct reminding from consumer-employers. Testify at budget hearings, email legislators, track legislation, and let them know what is and is not working. These actions make a difference in peoples' lives.

ODHS Director Pakseresht cares deeply about the work of ODHS. He reads every email in his box. The consumers' comments are the communications that really motivates him.

Building Well-Being Initiative

Participants

Fariborz Pakseresht, Director, Oregon Department of Human Services (ODHS)
Samantha Kaan, Policy & Strategic Projects Manager
Joel Metlen, Human Services Projects Director
Dion Jordan, Director, Office of Diversity, Equity & Inclusion
Melissa Smith, Policy & Projects Manager
Stephanie Stephens, Community Engagement Manager
Delilah Sheng Yang, Project Support Specialist
Sunny Pettit, Communications Officer

Fariborz Pakseresht

The idea behind the Building Well-Being Initiative began over 50 years ago, when this agency was originally founded to create a more user-friendly human services system that kept people from being bounced from one program silo to another. We as an agency need to focus on the whole well-being of people, which includes but is not limited to:

- Health, happiness, prosperity, life satisfaction, purpose in life, ability to manage stress.
- Food/water, housing, health care, employment, education

Our ODHS services and supports currently are:

- inequitable and fragmented
- unjust and cause problems for underserved communities, particularly for people of color
- in need of being dismantled and built anew

Community leaders and consumers are asking for change.

- African American leaders changed our response to COVID-19
- Created a framework for action and accountability to improve education and outreach
- Assisted in breaking down systemic racism impacting the Black community
- Prioritized vaccines, COVID-19 testing, and PPE distribution to underserved communities

Equity North Star-Inclusivity, Equity, Service, Well-Being

- Building Well-Being Initiative is reaching out to groups who have struggled in accessing services
- Purpose is to make services, supports, and well-being accessible to all
- Partnership with communities to develop and deliver equitable policies and programs for all people
- Goal: Staff and communities will know services and supports are working well when all Oregonians achieve well-being, regardless of identity or place

ODHS Vision:

- All who live in Oregon, regardless of race, identity, age, disability, or place, have the needed supports to achieve whole well-being for ourselves, our families and our communities.

Joel Metlen

We have goals to achieve to support consumers and providers. As an agency, we need to hear about issues from people and what changes are needed.

Questions for the audience:

1. Can you describe an experience of different organizations and services not working together on your behalf?
2. How did it feel?
3. What could have been different?

Example: African American communities encouraged OHA and DHS to work together to improve their response and approach to addressing the COVID-19 pandemic, which was having a disproportionate impact on the African American community.

Commissioner Wentzell has spoken with Fariborz Pakseresht, Director of Oregon Department of Human Services, during a State Independent Living Council meeting about the problem of an increase in benefit amounts resulting in a decrease in benefits for other programs. More becomes less. Then another program decreases your benefit again and on and on.

She offers the image of being in a sinking boat. An increase makes the boat float higher in the water. Then when other programs take more money away, the boat actually ends up weighing down more, sinking it further than it was to start with. At what point will the boat sink? State and federal programs are meant to assist, but they can cause a cascade of negative effects.

She referred to her experience with the COLA (cost of living adjustment) increase received from Social Security due to inflation rate of the previous year. SNAP (Supplemental Nutrition Assistance Program/ food stamps) benefits decreased more than the COLA benefit received. Also, her rent will increase (section 8 housing choice voucher.) The Medicare QMB (Qualified Medicare Beneficiary) rate ceiling may result in ineligibility. And more...

Now throw current exploding inflation into her boat. Under we go. She is also eligible to receive the new per diem rate of \$155 for each commission and council service she provides. The legislatures intent was to honor her contribution to Oregon with the same amount paid each day to legislators when in session. She is unable to accept this honor. It is counted as income and would "put her under water." What does it feel like to be too poor to accept this honor? What does it do to her morale? And how does it affect social determinants of health? This issue is being raised at the federal level? Fariborz Pakseresht was in Washington, D.C. last week and took this example to the group. He also spoke to Governor Brown about not counting per diem compensation as income. Parties are working to resolve this issue in the future. Commissioner Wentzel said federal program ABLE (Achieving a Better Life Experience) Act of 2014 will only allow her to set up an account if she has a disability diagnosis before age 26. Joel Metlen, Oregon Human Services Strategic Projects Director, notes that the target age was budget-driven on the federal level. This policy decision has huge implications for consumers, and there is a coalition advocating for people. This is a shared body of work, and his team will contact sister agencies in an effort to resolve this.

Commissioner McEwen received a small Social Security raise, and her rent increased by \$91, keeping her at the status quo. People on low-income housing have a real problem with this.

The increase in the commissioner stipend from \$30 to \$151 is related to House Bill (HB) 2992. The unintended consequence is that the stipend counted as earned income which directly impacts consumers' benefits. Commissioner McEwen would like for the team to research a way to get an ABLE account set up that does not include the use of a payroll system, so that it is not considered earned income. She notes that there are many legislators interested in the ABLE plan. Joel assured her that his team will speak with their contacts at the Oregon State Treasury Department.

Commissioner Wentzell said that ABLE only allows you to set up an account after a diagnosis at age 26, which excludes her from the plan. Joel notes that this was budget-driven, and the age requirements were set at the federal level. This policy decision has huge implications for consumers, and there is a coalition advocating for people. This is a shared body of work, and his team will contact sister agencies in an effort to resolve this.

Two Levels of Change

As an agency, ODHS is committed to:

- Internal work to improve agency programs that support people
- Partnership with agencies, community, and Tribal Nations

ODHS Supports More than 1.5 Million Oregonians

- People with Intellectual/Developmental Disabilities
- People with Physical Disabilities
- Children and Families
- Older Adults
- Basic needs and safety

- ODHS has service locations across the state and its employees are members of many different communities.

- ODHS is engaging in strategic planning to improve communities and Tribal partnerships.

Two Workstreams

- Future preparation through:
 - Listening to community members and partners

- Strengthening relationships
- Co-creating a plan with community
- Continue Core Responsibilities
 - Support basic needs and safety
 - Respond to emergencies
 - Fix operational issues

Questions

- What additional collaboration opportunities do you see?
- How would you like to see ODHS in the future?
- What supports do you need from ODHS (how can we help)?
- What are we missing?

- Commissioners McEwen and Wentzell would like a copy of the Building Well-Being Together packet in order to be able to speak with people about them. They want hard copies along with a thorough contact list.

Conclusion

- Fariborz Pakseresht
Our systems are not connected. Examples include how you can receive a benefit in one system and be penalized in another. Inflation significantly impacts daily living costs. ODHS can do a better job with consumer input. Fariborz will ensure that these issues are brought to the attention of stakeholders at the federal and state levels.

- Building Well-Being starts from within ODHS and will include system partners, along with the Oregon Health Authority (OHA). COVID-19 brought ODHS and OHA together. The elderly were the most impacted population.

- ODHS has 10,000 employees, but there are many other people helping to deliver services.

- Many thanks to Mike McCormick for his leadership during the pandemic and Cheryl's leadership at the Oregon Home Care Commission. These have been trying times for all of us, and their hard work is appreciated.

Adjournment

The meeting was adjourned at 1:00 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	P							
King	E	P	P	P	P							
McEwen	P	P	P	P	P							
Moore	P	P	P	P	E							
Volpe	P	E	E	P	P							
Wentzell	P	P	P	P	P							
E=Excused, U=Unexcused, I=In-Person, P=Phone												

Attachments:

- OHCC Commission Agenda, May 5, 2022
- OHCC Commission Meeting Minutes, April 7, 2022
- OHCC Executive Director Report, May 2022
- OHCC Budget Report, March 2022
- ODHS Building Well-Being Together