



Oregon Home Care Commission (OHCC)
Meeting Minutes
 February 2, 2023

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| Members Present: | Commissioners Ruth McEwen, George Adams, Mary Mayer, Mark King, Marsha Wentzell |
| Members Absent: | Commissioner Paul Johnson, Commissioner Randy Moore |
| Others: | Arlene Vila, Brian Holman, Joseph Lowe, Claire Coleman-Evans, Judi Richards |
| Staff: | Cheryl Miller, Roberta Lilly, David Vining, Abdirizak Ahmed, Massarra Eiwaz-Ransom, J Jay, Heidi Alasio |

Meeting Called to Order

The meeting was called to order at 10:02 AM by Chair McEwen.

Introductions

Introductions were made. Claire Coleman-Evans is a guest today and would like to share public testimony.

Adoption of Agenda

Commissioner Mayer **moved** to approve the agenda. Commissioner King **seconded. Motion moved.**

Approval of Minutes

We did not adopt the minutes today.

Announcements

Commissioner Adams attended a meeting yesterday. The new director presented on legislative bills, one calling for extra mileage taxed on to state caregivers. Cheryl Miller will address this later.

Public Testimony

Claire Coleman-Evans' Public Testimony

Claire Coleman-Evans is a PSW. She started working in 2020. Her client was finally able to enter an adult foster home, and Claire got a new client. In November-December 2022, she had many problems with the Registry and two Carewell profiles. She was unable to get new clients. She got a hold of a supervisor last night. This has been three months of aggravation. She tried to contact OHCC and the technical department. They didn't know what was going on. She has lost her job and her benefits and is finally able to get on the Registry. She would like one person to speak with to help address these issues. This was an internal data entry error, and now she has to start all over again with 40 hours each month and a waiting week. People are calling her via the Registry for services and help. She

tried everything in her power to work but encountered several issues along the way at the union, Carewell, and OHCC. The technical person finally helped her to get on the Registry. She had to create a different email and is finally able to get on. Cheryl Miller noted the OHCC Online Customer Relations submissions. She was unaware of this and went to our Facebook page. The OHCC Customer Relations site has various options for contacting us and submitting concerns. It sounds like there was a provider number issue. We will share these tools with Claire and make sure she has the necessary resources. Carewell Benefits is in charge of benefits. Claire has been in contact with Tom Brown, but he is unwilling to help her and says it wasn't her fault that she was unable to get into the Registry. Cheryl will ask her team about Claire's situation. She notes that this is highly unusual. Roberta Lilly has Claire's contact information and will email her training resources.

Claire is frustrated, because she wants to work but has and must re-do all this training all over. She has encountered both providers and consumers who have had problems connecting with the right person. The Registry wasn't working for her, and it wouldn't accept her data. She waited for Carewell to contact her, thinking that they were connected to the Registry. Thanksgiving, Christmas, and New Year's came, and people were gone. She was transferred and disconnected multiple times. She received conflicting information from the union, Carewell, and at OHCC. She is persistent and notes that other providers are unwilling to deal with this. There are people who give up and go to the private sector.

We have sent Claire our online resources via email, text message, and mailings. OHCC will ensure we have her correct contact information. Roberta is sending her a test email to ensure we have the correct email address.

Commissioner Wentzell requests an update on Claire's situation at next month's commission meeting. OHCC will do this provided we have her permission to do so.

Avery Horton's Testimony

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 FEBRUARY 2023 OHCC MEETING

FULL DISCLOSURE: I am a SEIU Local 503 Board member. I am not speaking for the union.

Homecare bargaining will begin soon. Can the OHCC explain why care providers do not have the same holidays as public sector state workers? While OHCC staff are enjoying the holidays with their families, some care providers are on the job without any extra compensation. Is this fair to care providers?

Care providers are reporting they are having to wait 2 days or more for case managers to respond. What is the acceptable response time? What steps are DHS/OHCC taking to reduce response time? Since care providers work around the clock, it would be nice if DHS/OHCC had someone available for calls 24/7.

How has DHS/OHCC informed consumer/employers that any form of sexual harassment will not be tolerated? I have been notified by some care providers that their consumer/employer is engaging in behavior that is not acceptable.

From one worker - Waiting way too many days for the authorization of mileage or caregiver hours.

Also authorization of a personal representative. To show up!

From another worker - I agree, I don't start working until I can sign in for a real-time entry because everything from the state says that's what we're supposed to do, real time entries. I recently withdrew my offer to work with a new client after waiting 3 weeks for the person to show up on my authorized Client List. There was heavy pressure from the case manager and from Salem to go ahead and work and to do historical entries whenever they got it into the system. This is not the first time this has happened.

I was informed by a PSW that the system had 2 profiles for her which caused her to not be able to get work because DHS and Carewell could not figure out what the problem was for over 2 months. She kept getting the runaround because every person she spoke with told her the problem wasn't theirs and to call someone else. This went on for over 2 months which caused her to lose her healthcare benefits because her client no longer needed her services and she couldn't get another client because the case managers said she wasn't in the system. This illustrates the need for care providers to have ONE number to call when they have a problem and to have that number staffed by competent people whose job is to make sure the problem gets resolved ASAP.

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

OHCC Response:

Cheryl is a member of the Collective Bargaining Team for the state, so she cannot respond to many of the items raised in a public meeting.

Paid holidays were negotiated in the last bargaining session. The details are in the 2021-2023 bargaining agreement available on the OHCC website. Holiday pay will begin this year. Providers who work July 4th, Thanksgiving, and Christmas will receive holiday pay.

The OHCC Employer Resource Connection program provides consumers, their representatives, or the Employer of Record with information and resources about workplace harassment and ADA accommodations. People can self-refer or contact their case manager for a referral to the ERC program. The Health & Safety article within the collective bargaining agreement address the topics raised. Providers can submit their concerns to the OHCC Customer Relations Unit or the Case Management Entity. Lastly, the Joint Issues Committee is a labor management committee where concerns are raised by SEIU member leaders, and we work collaboratively to resolve these types of issues.

Oregon Association of Area Agencies on Aging (O4AD) Report

None. Commissioner Moore was absent today.

Oregon Disability Council (ODC) Report

Commissioner King reported.

- Oregon Department of Transportation created an ADA plan for 2023-2025.
- There was a lunch session update.
- There was also a durable medical equipment working session.

The commissioners created a 2023 goal list.

Aging and People with Disabilities (APD) Report

None. Commissioner Johnson was absent today.

Governor's Commission on Senior Services (GCSS)

Commissioner Mayer had no updates. They will meet next Thursday.

Community Advisory Committee

Commissioner Adams noted that housing is a major concern of Jackson Care Connect. Coordinated Care Organizations are trying to get building materials to contractors. Medford is asking for CCOs to be part of the housing committee.

OHCC Legislative Committee/Workgroups/Rules Advisory Committee (RAC)

Cheryl Miller, OHCC Executive Director, reported information available as of January 27, 2023.

House Bill (HB) 2804 requires DHS to conduct an annual assessment of workforce capacity and needs for each division and department and report results to interim committees each year before February 1st. Amendments are needed for clarification.

Senate Bill (SB) 92 will address concerns related to the increase in compensation for individuals who serve on boards and commissions, requests department study and make recommendations. More to come.

HB 2500 would require mileage reimbursement for any provider who lives more than 15 miles from the consumer. This was brought by a legislator from Eastern Oregon in developmental disabilities services. It would require the provider to get 30 miles paid in mileage. Implementation would require GIS data to confirm consumer and provider addresses. Our internal systems would need modifications to track and pay for this. Traveling to and from work is not a Medicaid service, so the dollars would come from general funding. The bill is written to cover all provider types, and more work is to be done. Jane-Ellen Weidanz did express concerns in the hearing.

HB 3149 refers to collective bargaining and on-the-job safety, declaring a public emergency. It modifies the definition of "employment relations" to include safety issues and staffing levels that impact on-the-job safety of employees. OHCC addresses safety in the CBA which is available on our website. The Employment Relations Board (ERB) and the Department of Administrative Services (DAS) would need to be involved.

SB 104 refers to agency with choice services and requires ODHS to evaluate and submit findings to interim committees of the Legislative Assembly related to health no later than September 15, 2024. Discussions are ongoing.

SB 415 relates to workforce development, directing the Office of the Governor to implement recommendations for improvements to the workforce development system. The governor has 180 days to do this. They want individuals to include underserved populations.

SB 570 relates to homecare services. Requires ODHS to contract with up to two agencies providing agency with choice services.

Jenny Cokeley and Cheryl are writing bill analysis on these bills and will be making recommendations.

OHCC Budget Report

Brian Holman, APD Fiscal Analyst, reported for December 2022.
75% of the budget is complete.

OHCC Budget

- Total budget-\$9,916,680
- General Funds (GF) & Other Funds (OF)-\$ 6,580,359
- Federal Funds (FF) expended-\$557,733 (16.72%)
- General Funds (GF) & Other Funds (OF) expended-\$4,092,182 (62.19%)
- Total Fund Expenditures-\$4,649,915 (46.89%)
- Projected Deficit-\$11,739

OHCC Administration

- Total budget-\$9,404,032
- GF & OF expended-\$3,877,220 (62.18%)
- Total FF expended-\$435,752 (13.76%)
- Total Expenditures to date-\$4,312,972 (45.86%)

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

- Administration total budget-\$5,664,256
- Admin expended-\$2,941,380 (51.93%)
- Homecare Worker Training expended-\$382,268 (18.58%)

- Employer Resource Connection expended-\$935,928 (85.83%)
- HCW Registry (FF Match) expended-\$11,808 (14.39%)
- HCC Commissioners expended-\$3,374 (30.10%)
- Workforce Development expended-\$34,283 (9.07%)
- Provider Parking Reimbursement expended-\$3,932 (3.28%)

Personal Support Worker (PSW)-Developmental Disabilities/Mental Health (DD/MH)

- Total Budget-\$262,349
- Total expended-\$275,954

Employer Resource Connection (ERC)

- Total Budget-\$261,360
- Total expended-\$275,954 (105.58%)

DD/MH Committee

Total Budget-\$989

Total expended-\$0 (0.00%)

Traditional Health Worker (THW)

- Total Budget-\$88,000
- Total expended-\$ 6,553
- THW Training budget-\$86,500
- THW Training expended-\$6,553 (7.58%)
- THW Committee budget-\$1,500
- THW Committee expended-\$0 (0.00%)

Enhanced/Exceptional Workers

- Total Budget-\$162,299
- Total expended-\$54,436 (33.54%)

Training Stipend

Total Budget-\$1,090,000

Total expended-\$521,865

Training Stipend by Unit

- PSW/DD budget-\$180,000
- PSW/DD expended-\$ 103,295 (57.39%)
- PCA/HSD budget-\$10,000
- PCA/HSD expended-\$2,564 (25.64%)
- HCW/APD budget-\$ 900,000
- HCW/APD expended-\$416,006 (46.22%)

Training Revenue to date-\$790.00

Stipends, Trainings, and Venues

The stipend is an hourly base rate for every hour providers are in training. The cost of the venues is included in the overall budgetary expenditures.

Roberta was in Lincoln City at an in-person training this week. Commissioner Adams asked about 4-5 advancement trainings for southern Oregon. All courses are on-demand online or webinar style. We have PDC, Enhanced, Exceptional, and VDQ certifications available, all increasing the earning rate for providers. Roberta Lilly will explain this to him offline. The link to the Elevate Newsletter is being added to the chat. This information is available to anyone statewide.

Q: Once the 2023 biennium ends, when does the new biennium start?

A: The new biennium starts July 1, 2023 and goes through June 30, 2025. Brian will work with Cheryl and APD staff on this budget. Once signed by the governor, it becomes law.

Carewell Benefits Report

Arlene Vila, Senior Benefits Organizer, shared updates from December 2022.

Who We Are:

Carewell has two trusts:

- The supplemental trust through the marketplace and Medicare
 - Provides \$6,600 for out-of-pocket expenses in 2022
 - Provides \$6,900 for out-of-pocket expenses in 2023
- The Benefit Trust provides dental, vision, Employee Assistance program benefits, and Paid Time Off (PTO) benefits

Open Enrollment 2023

- Open Enrollment 2023 was extended through January 15, 2023.
- Effective dates were based upon the date of enrollment.

Education Events

- In-person events resumed
- 17 events were held across Oregon
- 283 care providers attended
- 15 care providers had W-9 submissions to receive PTO
- 60 care providers submitted claims for dental out-of-pocket reimbursement
- 123 care providers submitted annual paperwork to renew Healthcare Cost Assistance.

Carewell is planning an in-person event in January 2023 to help people who live in Portland, to renew their Healthcare Cost Assistance benefits.

Current PTO Model

- To qualify, a provider had to work 80 hours in October, November, or December to earn 20 hours PTO in February 2023.
- \$10,298,317.88 in PTO has been paid to 17,146 unique care providers with an average amount of \$600.63.

New PTO Model-Begins January 1, 2023

- Allows providers to earn one hour PTO for every 20 hours worked, with a monthly cap of 4 hours per month.
- Care providers can earn up to 48 hours PTO each year.
- Approximately 8,500 care providers will earn PTO for the first time.
- A member portal tool will be available for workers to view hours worked, PTO earned/used, and to manage their PTO benefits.

2023 PTO Transition Timeline

- January 2023-New PTO hours begin to accrue
- February 2023-PTO checks will go out for October-December 2022
- March 2023-January or February New model potential claim

Medicare Benefits Outreach

- Extensive outreach began March 2022 to ensure providers are aware of available benefits.
- 2022 to date:
 - Med. Part B-\$4,018,991.23 paid to 2,753 unique care providers
 - Med Supplemental \$674,289.19 paid to 1,755 unique care providers

Dental Out-of-Pocket Reimbursement Program

- Temporary dental out-of-pocket reimbursement program continued in 2022
- Covers co-insurance amounts when care providers must pay a portion of cost of services up to \$2,500.
- 2022-\$473,765.98 paid to 942 care providers with an average of \$502.94 per care provider

Carina Registry

- 4 new matches have been made with a total 16 matches so far
- As of November 11, 2022, 375 consumers and 502 providers have started or completed the registration process to use Carina.
- OHCC has sent communications to consumers in pilot counties to encourage Carina registration.
- On November 10, 2022, Carewell met with the Carina team to create a 2-year plan and process. There are clear goals and strategies to move forward.
- Scheduling orientation sessions for regional rollouts in January is underway. Positive feedback has been received from case management entities.
- Carina will conduct user feedback sessions between now and the end of the year. Users can expect emails from Carina to schedule a time to provide input.

Question & Answer

Q: Commissioner Wentzell requested a Youtube explanation for Paid Time Off.

A: Carewell has this on their list of goals.

Q: Is there a plan for better communication between the union and Carewell, so that providers to have a more direct method to answer questions? Many providers need answers from Carewell and SEIU, and they are receiving confusing information.

A: Carewell works on this continually. The Member Assistance Center (MAC) is the union who answers union, training, and benefit calls. They have continuous trainings. One challenge is the amount of knowledge, and another one is administrative office and getting same information to people. Carewell works closely

with the union and will continue to work on improving communications. The MAC will have access to the portal for transparency and will be able to help those care providers who do not have computer access.

Arlene would like to know of any provider who is having challenges. She encourages people to go to the Carewell SEIU 503 website.

Cheryl left the meeting at 12:05 PM for an urgent meeting.

Q: Is the Medicare package for a certain age group?

A: It is for anyone on Medicare.

Q: Is there a fax number for a person to submit W-9s?

A: They do not need to submit one if they have a W-9 on file. Carewell is receiving about 100 W-9s daily. Care providers only need to submit these if they have a name or address change.

Q: Is there a fax number for providers who have a secondary insurance?

A: The easiest thing is to call the MAC and to report their premium amount for 2023.

Workforce Collaborative Report

David Vining, OHCC Program Analyst, reported.

Workforce Collaborative Update

Last week, they had 61 participants from the state of Oregon. They discussed:

- Workforce resiliency throughout emergencies (fires, pandemic, inclement weather). Providers need recognition for their dedication during difficult times.
- Continuing the Chat Bot Pilot
- Survey will be sent out soon to providers with active provider numbers but who are not working. OHCC would like to know what the issues are. A survey draft is forthcoming.
- We have Carina and the Registry. What do providers need?
- Next Workforce Collaborative: February 16, 2023.
- They are looking for more partners, so please join and/or share the information.

Pilot Project

- In Coos, Umatilla, and Marion Counties
- Focus will be on all three provider types
- Recognize the unique needs of the different communities.
- OHCC is focusing on community partners: Job corps, Villar, Self-Sufficiency, WorkSource Oregon, veterans, high schools, tribal nations, the web generation, immigrants, refugees, and many others are involved in workforce development
- The goal is to have an adaptable tool for a variety of communities to meet their specific needs.
- The virtual Chat Bot will help direct people to the proper connections.
- We will address the housing crisis and how it is affecting the workforce. People are leaving communities with extremely high housing costs because homecare worker wages are unable to keep up.
- Cheryl is also looking at consumers who are approved for services and have not been able to connect with workers.
- Connecting workers and providers through Carina is a priority.

OHCC is working to recruit trainers who could teach English to prospective providers in work-appropriate language for the homecare workforce.

Oregon Fair Housing Council

Marlee Baker joined us.

There is a poster competition for youth grades 1-8. The winner's poster will be shared across the state. The competition addresses fair housing and why is it important.

OFHC is looking for fair housing testers in Salem. This is a national practice for all sorts of backgrounds, abilities, and cultures. They speak with landlords and homeowners to find out about discrimination in the community. They are paid volunteers, and it is legal way of gathering information. There is an informational session on February 24th at Broadway Commons from 6:30-7:15 PM. Everyone is invited to join.

If you are concerned about housing discrimination, contact the OFHC Enforcement Department.

OHCC Training & Registry

Roberta Lilly, Training & Registry Manager, reported.

Virtual CPR/First Aid Training

- About 90% of the students are choosing Virtual CPR/First Aid through Emergency University website
- Monthly contract meetings with this contractor; working on an internal system to address No-Shows for the webinar portion

PACE- Professional and Continuing Education through Oregon State University

- Amending current contract for end date
- Working on new Work Order
- Currently working on automating the OHCC Certifications and the correct dates on the Certificates; CPR/First Aid Registration
- Customer Service will manually approve users and support for PACE; this is the majority of the customer service support
- Total users are 2,408 individuals (including some staff)

Course updates:

- Five VDQ Certificates have been earned since we have offered this course on PACE (blended model)
- In-Person Training in Lincoln City convened yesterday; workers enjoyed the training
- In-Person Training in Woodburn on February 16 and 17th
- 68 training events in January; 844 individual stipend requests
- Enhanced 3- different cohorts offered in January/February

Staff Updates

- Administrative Assistant 1 position; final stages of recruitment
- New staff member, Candice Morley filled the vacant OS2 position; supports stipend payment, PACE attendance records and Zoom support
- Training Development Specialist (TDS2), Dale Mayuiers resigned in January; open recruitment for TDS2 moves to two recruits

Enrollment in PACE

- 1,279 people are enrolled
- There is still a no-show population.

Commissioner Adams appreciates Roberta's efforts for people with VDQ/paraplegia/quadruplegia needs.

Disability Services Advisory Council (DSAC)

Joseph Lowe, APD Program Analyst, reported for November 2022.

February's DSAC Quarterly is scheduled for February 28, 2023, from 2-4 PM.

Agenda items include:

- Disability Health & Employment Equity Coalition and SB 576 Update
- APD Deputy Director of Branch Offices Update
- Legislative Session Update & Offer for DSAC member to join a Joint Legislative Committee with boards and commissions
- Tribal Affairs
- OHA Ombuds DME Listening Session

Recruitment

- The recruitment struggle continues to impact everyone, including DSACs, state boards and commissions, etc.
- Districts 6,7,10,13, 14, and 16 are currently working diligently on recruitment.

Per Jane-Ellen Weidanz's request, Joseph has been working with Janell White (EPD Coordinator) on a marketing style campaign to bring awareness of the Employed People with Disabilities (EPD) program to consumers and case managers.

He is also working with Ellen Pinney and her ombuds team on DME problems in Oregon. There was a listening session in November with 60+ attendees. An internal workgroup is compiling stories and gathering data. In March, there will be another listening session to share work and gather feedback.

There is continued work on:

- Emergency Management Advisory Council
- Employee Resource Group
- Incident Response Team

- APD Service Equity Advisory Council
- Oregon's Office on Disability & Health Advisory Council
- Governor's Commission on Senior Services

Question/Answer

Q: Are you dealing with NEMT and the special workgroup for OHP?

A: Joseph just learned of the NEMT Advisory Committee. He will try to get DSAC representation?

Q: What is your group doing on Durable medical Equipment providers?

A: There is a mixture of problems: the provider, confusing rules, or the CCO. This is being reviewed to figure out the root of the problem.

Q: Suggestion-the board of directors makes most decisions on equipment. He suggests trying to dissuade them

A: Some CCOs try to get the least expensive equipment rather than the best equipment for the consumer.

Employer Resource Connection

Nancy Janes, OHCC Employer Resource Connection Coordinator, reported.

ERC Quarter 4 Narrative

- Nancy recently met with the Community Action Team. They have new staff who were not sure how to do outreach, so there is no report this month.

PPL Success Stories

- 4 customers called in response to the Registry ads.
- Some customers have hired friends and family on how to become a PCA.

Employer Resource Connection Report

Nancy Janes, OHCC Employer Resource Connection Coordinator, reported.

ERC November-December 2022

- Generally low on activity due to holidays
- NWSDS has had a change of consultants; therefore, they are doing the best they can.
- We are receiving numerous Human Services Division/State Plan Personal Care consumers.
- We are working to improve ODDS/CIIS consumers to get assistance for them.

The RFP was turned in last month but has yet to be assigned to a staff member.

Two Pre-RFP meetings with contractors occurred in January and February.

Question/Answer

Q: How is HASL involved?

A: They are a contractor who provides services to ODDS, APD, and ODHS/HSD in Jackson, Josephine, and Curry counties.

Informational Item/Discussion

Commissioner Adams suggested inviting the governor to a commission meeting. We will add this to the March Agenda.

Introductory letter about OHCC and our purpose

We may get a representative from the governor's office for a liaison.

Two or three commissioners could work on a proposal for the governor's office.

Adjournment

The meeting was adjourned at 12:46 PM by Chair McEwen.

2022 Attendance Record

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

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

Attachments:

- Oregon Home Care Commission Agenda, February 2, 2023
- Oregon Home Care Commission Minutes, January 5, 2022
- OHCC Budget Report, December 2022
- OHCC Training & Registry Report, January 2023
- DSAC report, November 2022
- Training & Registry Report, January 2022
- Oregon Fair Housing Council documents

- Carewell Benefits Report, December 2022
- ERC November-December 2022 Statistics Report
- ERC Q4 2022 Narrative Report