



Oregon Home Care Commission (OHCC)  
Meeting Minutes  
September 3, 2020

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

Members Absent:

Others: Brian Holman, Lilia Teninty, Nathan Singer

Staff: Cheryl Miller, Roberta Lilly, Jenny Cokeley, Nancy Sodeman

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

***Approval of Minutes***

Commissioner Guedon **moved** to approve the July and August minutes as written. Commissioner Johnson **seconded. Motion carried.**

***Announcements***

Commissioner Guedon apologized for not being able to attend the bylaws meeting due to some personal issues. She let the Commissioners know she will not be at the October Commission meeting.

***Public Testimony***

Public testimony from Mr. Avery T. Horton, Jr was shared:

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 SEPTEMBER 2020 OHCC MEETING**

The OHCC and DHS are failing to keep workers informed. The newsletter, Elevate, does not do the job. It is better than nothing but still falls short.

Who is in charge of communicating with the workers?

Why are care providers still not getting paid on time? Who is in charge of making sure workers get paid on time?

Until we know the name of the person who is ultimately responsible, we have no accountability.

Why haven't the meeting minutes been posted for the last 2 meetings? Who is in charge of posting the meeting minutes?

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

--

Avery T. Horton, Jr.  
520.603.8107

Cheryl Miller, OHCC Executive Director, stated that communication is a collaborative labor-management effort. SEIU 503 and the Carewell Benefits Trust communicate information with workers around Paid Time Off (PTO), mandatory training, orientation, accessing Personal Protective Equipment (PPE), Labor-Management agreements, and the like. Workers also receive communication through Gov delivery Listserv, emails, social media posts, and websites. Workers are typically paid on a timely basis and all minutes are posted when approved by the Commission.

## ***OHCC Budget Update***

Brian Holman, Oregon Department of Human Services (ODHS) Fiscal Analyst, presented the following preliminary report on the 2020 budget, which covers 13 months out of the 19-21 Biennium budget or 54.2%. He explained that due to the timing of the end of the fiscal year on June 30, this is a preliminary report and if there are any changes, the report will be updated.

- The Total Budget is \$9,319,180
- Total General (GF) and Other Funds (OF) expended = \$2,787,174 (48.88%)
- Total Federal Funds (FF) expended = \$440,786 (13.21%)
- Total Expenditures to Date = \$3,227,960 (35.69%)

**OHCC ADMIN BUDGET** – the largest portion of the budget which includes OHCC staff salaries and wages:

The total expended (GF/OF/FF) to date is \$2,955,532 or 33.22% of the admin budget. This budget area is trending as expected.

OHCC Admin Units – Breakdown of the Admin budget referenced above.

The admin units consist of:

- **Administration** - \$1,705,784 in expenditures to date (30.62%)
- **Homecare Worker (HCW) Training** - \$650,131 in expenditures to date (29.93%)
- **Employer Resource Connection (ERC) HCW** - \$467,952 in expenditures to date (67.55%)
- **HCW Registry (Federal Funds [FF]) Match** - \$55,940 in expenditures to date (215.15%)
- **HCC Commissioners** - \$4,843 in expenditures to date (47.83%)
- **Workforce Development** - \$70,883 in expenditures to date (47.57%)

Cheryl commented that spending is down for HCW training due to the implementation of online training which reduces venue and travel expenses, following the Governor's direction to practice social distancing. ERC expenditures are positive as they reflect consumer-employers receiving direct services.

Brian let Commissioners know that overall budget reductions are anticipated to stay out of deficit spending this biennium and any changes will be updated in the budget and communicated. Brian added that the ODHS took proactive action by implementing a hiring freeze for non-essential positions.

Commissioner Johnson asked if Cheryl would have input into any potential cuts made to OHCC's budget. Brian responded that reductions would be made across overall programs, but not uniquely to OHCC's budget.

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

The total expended to date is \$181,981 out of the \$279,800 budget. The PSW – DD/MH units consist of:

- **PSW Training** - \$42,196 in expenditures to date (113.13%)
  - OHCC has been working with Oregon State University (OSU) on the Enhanced and Exceptional Certifications which will benefit both Homecare Workers (HCWs) and PSWs.
- **ERC for PSW** - \$138,796 in expenditures to date (57.35%)
- **DD/MH Committee** - \$989 in expenditures to date (197.80%)
  - Cheryl noted that this amount was for recruitment brochures which will hold value beyond the biennium.

Brian noted that program savings in other areas will offset these overages. Although money is adjusted to balance the unit spending, the actual expenditures are tracked in the budget to assist in future budget planning.

### **TRADITIONAL HEALTH WORKERS (THW) BUDGET**

- **Training** – \$2,225 in expenditures to date (49.45%)
- **Committee** – 0%

This budget area is on track. There is currently a Community Health Worker Cohort going through training together.

### **ENHANCED AND EXCEPTIONAL WORKERS BUDGET**

The Enhanced and Exceptional Workers budget has \$88,222 in expenditures to date and a burn rate of 64.12%.

The expenditures are for work Oregon State University (OSU) is completing on a revision of the Enhanced and Exceptional curricula.

### **TRAINING STIPENDS**

The total expended to date is \$396,274. That amount consists of expenditures in the following units:

- PSW – DD \$69,588 in expenditures to date (38.66%)
- PSW – MH \$1,592 in expenditures to date (15.92%)
- HCW \$325,094 in expenditures to date (35.63%)

Cheryl commented that the continuing increase in PSWs, particularly PSWs-MH, taking training is positive. Workers are paid their base hourly rate of pay for attending training.

### **TRAINING REVENUE TO DATE - \$80**

The revenue amount remains unchanged. A reminder was shared that HCWs, PSWs, and Adult Foster Home Providers all receive training free of charge. Additional online trainings and an improved system for accepting funds may lead to an increase in revenue from community members.

### ***Oregon Developmental Disabilities Services (ODDS) Update***

Lilia Teninty, ODDS Director, shared the following updates:

- Continuing work around COVID-19. Working with field staff on what to do when someone tests positive. As of August 31, 37 developmental disabilities (DD) consumers of in-home services had tested positive and 57 workers had tested positive.
- ODDS is working with the Oregonian newspaper to provide information around access to in-home services for people with intellectual and developmental disabilities during the pandemic.

### **Q&A**

Commissioner McEwen asked about the changes made to the K-Plan. Lilia responded that CMS agreed to allow workers to provide services for their consumer-employers who are hospitalized. Commissioner Wentzell asked if workers are paid for time worked for their consumer while in the hospital and Lilia responded that they are.

Commissioner Guedon commented that the Oregonian had contacted her and other advocates. She expressed gratitude for the work ODDS has done and is doing. She also asked what might happen with the anticipated budget cuts. Lilia responded that there are just too many unknowns at this point to comment on that. Commissioner Guedon asked what OHCC can do to support ODDS. The answer – continue your advocacy work and share your stories.

Commissioner Johnson asked what the feedback has been around the new Carewell 503 training. Lilia responded that she has not heard anything.

Commissioner McEwen said that she had the proposed changes to the K-Plan available if anyone was interested. She said she would send the document to Nancy Sodeman, OHCC Executive Support Specialist, to disseminate.

### ***Senate Bill (SB) 1534 Update***

Jenny Cokeley, OHCC Special Projects Coordinator, presented the following report:

#### **1) Rule Advisory Committee meeting update**

- The meeting was held via Zoomgov on 8/13/20 and there was good representation from stakeholders and advocates.
- There was a lot of discussion about two topics that need resolution before rules can be filed
  - Changing the implementation date from 1/1/21 to 9/1/21.
  - Adding a “minimum of four hour of orientation” in rule.
- It was questioned whether the Commission has the authority to change the implementation date since it’s mandated in legislation. It was suggested that instead of changing the implementation date in rule, waive the date of implementation based on the Governor’s executive order regarding the pandemic.
- SB 669 requires that homecare and personal support workers receive a minimum number of hours of orientation. There was concern about specifying a minimum number because online orientation can be completed in under four hours. Here are some possible options to change the language:
  1. “an applicant is required to complete a minimum of four hours of orientation” – original language
  2. “an applicant is required to complete a minimum four-hour in-person orientation or online equivalency with accommodations as needed...”

3. “an applicant is required to complete an orientation based on a minimum of four hours of curriculum content...”
4. “an applicant is required to complete a minimum of four hours of orientation, with accommodations as needed ...”
5. “an applicant is required to complete a minimum of a four-hour in-person orientation, or online equivalency...”

There was consensus among the Commissioners that #5 above is the best option.

## 2) Pilot update

- Core training (*for new workers*) will be available in September 2020. It will be a combination of online training (10 modules) and a trainer-led webinar course (in place of the in-person workshop until physical-distancing requirements are lifted). The pilot rolls out in September in the following counties:
  - Douglas, Coos, Curry, Jackson, Josephine, Gilliam, Hood River, Sherman, Wasco, Wheeler, Crook, Deschutes, Jefferson, Klamath and Lake counties.

Jenny stated 1500 people have gone through online orientation so far. Commissioner McEwen asked if online orientation will continue after in-person classes resume. Jenny answered that it is being encouraged but a final decision has not been made yet. Cheryl added that online offerings provide workers with more options for training and certifications. Commissioner Johnson shared that he supports continuing online offerings as well. He specified that webinar-style options are preferable as they make interactions and asking questions easier. OHCC currently offers on demand trainings online and will continue to.

Commissioner Johnson asked if there has been feedback from and evaluation of SEIU training. Jenny shared what she has heard from Carewell:

- Orientation has been well-received.
- Chat features are an important feature.
- Real-time technical support is being taken advantage of.
- Most attendees are HCWs. Increased outreach to PSWs is needed.
  - Cheryl noted that many brokerages have closed during COVID-19, so in part that accounts for the lower numbers of PSWs taking the online orientation. ODDS is well-informed of what is taking place so when offices start opening up again, more PSWs should be taking training.
- Local offices appreciate the online orientations.
- Testing, though not required yet, is being implemented.

Carewell is communicating with OHCC if there are questions or areas that need clarification.

### 3) Worker and Consumer letters

- Final drafts are ready for review and feedback. Dates were changed to “Fall of 2021.”
- “DHS” changed to “ODHS” (Oregon Department of Human Services)
- Questioned – should people in the pictures be wearing masks?
- The communication committee is identifying the timeline to send them out.

Jenny noted that the group tasked with helping determine guidelines/a policy regarding ongoing evaluations/assessments of trainings will be reconvened soon.

### ***OregONEligibility Update***

Nathan Singer, Aging and People with Disabilities (APD) Ops Director for the Integrated Eligibility project, gave the following update:

- Purpose of the program – Consolidate Modified Adjusted Gross Income (MAGI) and non-MAGI programs in one financial eligibility system. Streamlined, centralized.
- The following programs in the ONE project went live on July 6, 2020.
  - Supplemental Nutrition (SNAP)
  - Employment Childcare
  - TANF
  - Medical for all classic, APD MAGI and non-MAGI programs
- In August, all programs went live in Grants Pass.
- 27,743 applications have been processed since July 6.
- Over 42,000 tasks (including renewals, info requests, etc.) have been completed.
- 16,000+ individuals receiving food stamps.
- It’s the largest system ever implemented in Oregon, and as such there are issues being discovered. 2500 defects have been found and are being corrected on an ongoing basis.
- The team is paying attention to change management with the additional stressor of COVID-19.
- This project allows case management to continue outside the ONE system and frees up case managers from dealing with the financial eligibility piece.
- If all is ready and approved, the statewide roll out will come in two waves:
  - Wave One in November – across most of the state – S/E region.

- Wave Two in February 2021 – in Multnomah and Clackamas counties, The Dalles

Commissioner McEwen asked how the anticipated budget cuts would affect the ONE project. Nate answered that the funding was established well in advance; a large portion of the funding comes from federal funds. They are also working to stay on schedule for many reasons, including the budget. Remote work is helping lower costs and since they over-hired in the beginning, they are experiencing savings through attrition.

### ***Oregon Association of Area Agencies on Aging (O4AD) Update***

Commissioner Moore reported on the following:

#### **O4AD Reorganization**

- The hope is to have a new Executive Director overseeing operations in place by mid-October.
- O4AD will hire a contracted lobbyist separately.
- The initial screening is taking place, but resumes are still being accepted.
- Reaching out to advocates to sit on the hiring panel.

#### **Budget Cuts**

- Some mental health services provided through ADRC – it was an expensive program and was difficult to provide data for. AAAs used it for a variety of services.
- The State portion of Sequestration mitigation funds were cut.
- Type B transfer AAAs (Medicaid) had received a bump in funding to stabilize caseloads. That bump was reduced by 50%. Allowed to use for one year of the biennium.

### ***Oregon Disabilities Council (ODC) Update***

Commissioner King shared the following update:

#### **July – Full Meeting Month**

- Colin Hoobler, a retired Doctor of Physical Therapy, presented on his involvement with memory care and nursing facilities regarding research on health impacts (high blood pressure, obesity, diabetes, death) to our 65 & older population sitting for 10+ hours per day. Currently is outreaching to ODC and other organizations for help, support, etc. in creating legislation that would require staff to have exercise sessions daily with these folks.

- There was info on important bills during the Special Legislative Session. Most bills were around police accountability and COVID-19 issues. One bill of importance was SB 1606; this bill provided that individuals with disabilities may have a person with them during hospitalization, along with other provisions related to the rights of individuals with disabilities in hospital settings (especially regarding health care decisions).
- Anna Feigum and Kristen Darmody presented on the Disability Emergency Management Advisory Council (DEMAC). They gave some info on its background and formation and then presented on its efforts during COVID-19.
- Mike McCormick presented on APD updates.
- ADA Celebration Webinar Series: Held every Tuesday throughout July averaging 227.5 attendees for a 4-week grand total of 910 attendees. Thank you for your support.

**August** – Executive Meeting Month

- Developed the agenda for the September Full Meeting
- Voted to cancel the potential October in-person ADA Celebration.

**September** – Full Meeting Month

- Will update after the meeting on September 10th

***Ageing and People with Disabilities (APD) Update***

Commissioner Johnson reported the Medicaid Services and Supports team has been busy putting many extensions in place due to COVID-19. Progress is being made on the Provider Time Capture (PTC) project.

Cheryl added that the PTC team has asked OHCC to help communicate with consumers and workers on this topic. PTC representatives will be coming to the OHCC Commission meetings on a quarterly basis. The team is also developing informational flyers and Cheryl encouraged them to use less text to be more engaging.

The search for the new APD Director continues. Cheryl expressed her appreciation to Mike McCormick, Interim APD Director, for his strong leadership.

## ***Governor's Commission on Senior Services (GCSS)***

Commissioner McEwen shared that the GCSS representative to OHCC has been identified and that Commissioner McEwen is working with that individual. The timeline for that individual to begin is yet to be determined.

## ***Executive Director's Report***

Cheryl presented the Executive Director's report, recapping her work and OHCC's work for the month of August.

### **Personal Protective Equipment (PPE) Distribution Report**

- 2510 requests through SEIU
- 226 requests through OHCC
- 2736 requests in total
- The highest number of requests came in April; the lowest came in June.

### **2020 Grievances**

There was a total of five grievances in 2020:

1. January. Withdrawn – not filed timely.
2. February. Withdrawn – credentials expired.
3. May. Withdrawn – voucher not submitted timely.
4. July. Accepted – Send Safely (SEIU) submission.
5. July. Step 2 – Oregon Saves group grievance.

### **Oregon Saves**

- ODHS and ODDS are working to implement Oregon Saves for PSWs through a payroll deduction in October 2020.
- All workers received a \$.77/hour raise in July 2020 to use towards retirement. All workers are now able to access Oregon Saves to initiate their retirement savings.
- ODHS and APD are working with the Office of Information Services (OIS) to implement Oregon Saves for HCWs through a payroll deduction in 2021.
- SEIU and ODHS will begin communicating with workers in September 2020 about their retirement options.

## **CARES PTO**

OHCC is working collaboratively with Carewell SEIU 503 to implement this benefit. Workers apply for this benefit online through Carewell. OHCC receives the file on a weekly basis and the Workers' Compensation team reviews the requests to confirm a worker meets the eligibility requirements established by Carewell. Workers who meet the requirements and work 40-79 hours/month are eligible for a 40-hour benefit. Workers who meet the requirements and work 80+ hours/month are eligible for an 80-hour benefit. The benefit hours can be divided and taken at different times. The benefit is paid out at the worker's pay rate. If a worker has multiple pay rates, it is paid out at the highest rate.

OHCC is working with the data warehouse team to create auto generated reports to verify the information needed.

## **PSW Unemployment Claims**

The OHCC Workers' Compensation and Customer Relations teams will begin processing PSW unemployment claims.

The teams met yesterday with ODDS' Provider Relations team to discuss the data and systems that will be needed to process.

## **Labor-Management Meetings**

- Meets the first Tuesday of each month (and more, as needed) with SEIU's Member Resource Center (MRC) and Member Assistance Center (MAC) to review complaints and grievances.
- Meets the third Wednesday of each month with the Joint Issues Committee to review systemic issues or concerns. At the last meeting, the topic of how notification is handled when a consumer-employer passes was discussed. SEIU later sent their list of recommended actions which will be reviewed at the next Joint Issues Committee meeting.
- Meets weekly with the Department of Human Services' Labor Relations Director. A current grievance that is being worked on is the Oregon Saves retirement.
- Meets weekly with ODDS/OHCC/APD and SEIU to discuss topics, mostly around COVID-19.

- Ongoing, biweekly SB1534 communication meetings.

The following points/action items came from a discussion around making more connections with SEIU to gain a broader perspective:

- Commissioners are invited to attend Joint Issues Committee meetings on a regular basis. Good place to hear from workers directly.
- It was agreed it would be good to invite the HCW President and Vice President to come to a Commission meeting. Cheryl will follow up on that.
- The Director of Carewell Benefits and Registry Project Coordinator reports on a regular basis at Commission meetings.
- Sarah Edwards with Carewell Training could come to a Commission meeting for another update on the mandatory training.
- Nancy will send the Commissioners a calendar invitation for the Joint Issues Committee meetings.

### ***OHCC Training and Registry Update***

Roberta Lilly, Training and Registry Manager, gave the following update:

#### **Professional Development Certification (PDC)**

Webinar style (live instructor) courses being offered:

- Preventing Disease Transmission
- Driver's Safety
- Dementia 101
- Sensory Processing Disorder-adults
- Keeping It Professional
- Working Together
- Helping Caregivers Fight Fraud and Abuse

On-demand courses available are:

- Keeping it Professional
- Helping Caregivers Fight Fraud and Abuse
- Working Together
- COVID-19

#### **PDC Cohorts**

- The first webinar style, Spanish-speaking cohort will be starting in September.
- The next webinar style cohort in a language other than English will be in Russian.

- The OHCC Training Team offers technical support during the online trainings.

### Registry and Referral System

Work is continuing on the security components of the Registry update. When the update is completed, individuals will be able to:

- Self-reset their password.
- Cancel classes up to the time they start.
- See an updated view of the CIIS and DD help wanted ads.

Currently, there are 1772 HCWs and 183 PSWs available for referral.

### Enhanced Certification

Beginning in September, there will be four instructors teaching two Enhanced Certification webinar cohorts for new students or those who are renewing. The cohort will go through eight, 3-hour classes.

### New Instructor

A new instructor in Bend is joining the OHCC instructors. He will teach courses in English and Spanish.

### OSU Curricula Update

The updates for Enhanced and Exceptional Certifications and Ventilator Dependent Quadriplegia (VDQ) are close to completion. When finished, they will be moved to the learning management system, PACE. Another contract will be required for the use of PACE.

### Training Numbers

August numbers were still coming in, so it's not a final accounting for the month. Close to 100 participants have taken advantage of on-demand training. A category for webinar style classes was added to the report.

### Adjournment

The meeting was adjourned at 1:00 PM by Chair McEwen.

### 2020 Attendance Record

Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Guedon	E	U	P		P	P	P	P	P			
Johnson	I	I	I		P	P	P	P	P			

King	E	P	P		P	P	P	P	P			
McEwen	I	I	I		P	P	P	P	P			
Moore	I	I	E		E	P	P	E	P			
Volpe	I	I	I		P	P	P	P	P			
Wentzell	I	I	I		P	P	P	P	P			
E=Excused, U=Unexcused, I=In-Person, P=Phone, effective 3/1/18												

Attachments:

- Agenda, September 3, 2020
- Minutes, August 6, 2020
- Home Care Commission Budget Report 19-21 Biennium
- SB 1534 Update
- Consumer and Worker SB 1534 Letters
- Executive Report, August 2020
- Health-Related Services & CCOs
- OHCC Training Report – September
- Training & Registry Report – September
- Training Report - September