

2023 Legislative Summary

Oregon Department of Human Services'
Report on the Regular Session of the
82nd Oregon Legislative Assembly



FROM THE DIRECTOR



The Oregon Legislature concluded its 2023 regular session on June 25, passing a biennial budget that includes \$5.7 billion in General Fund dollars and more than 11,000 positions for Oregon Department of Human Services (ODHS).

It was a busy session that carried especially high stakes for the communities we serve, as billions of dollars in federal COVID-relief funding – along with the Medicaid continuous enrollment provision that helped people access crucial benefits during the pandemic – reached expiration. Across our programs, ODHS staff worked diligently to ensure lawmakers had the information they needed surrounding human services in this complex budget environment. I am deeply grateful for their efforts during these critical months, and for the excellent results they helped deliver for the people we serve.

In January, Governor Tina Kotek released her recommended budget for the 2023-25 biennium. The budget zeroed in on priorities including improving Oregon's behavioral health systems, addressing the state's housing and homelessness crises, and ensuring every family has access to affordable child care. The budget also reflected the Governor's commitment to putting customer service at the forefront of state agencies' work. From technology investments to added staffing, it identified vital resources needed to help our state workforce deliver for people in Oregon.

Thanks to spending packages passed this session, ODHS will be able to advance the Governor's priorities in several key areas. For example, a \$30 million staffing investment in the state's ONE eligibility system, combined with \$16.2 million to fund ONE system maintenance, will help ensure that eligible families can continue to access health care, child care and other critical benefits. Additional investments will enable supports for people experiencing homelessness or at risk of becoming unhoused, including a \$19.9 million investment in our Youth Experiencing Homelessness Program and \$20.9 million for humanitarian efforts serving individuals and families arriving by way of the nation's southern border.

Other key investment packages will allow ODHS to make important strides in our agency-wide focus areas such as strengthening our foundations and creating the future of human services. Highlights of investments, in General Fund dollars, include \$121 million toward rates for providers who deliver essential services to people with disabilities and older adults; \$9.7 million to increase rates for behavior rehabilitation services (BRS) providers; and \$16.8 million to raise by an average of \$241 per month the monthly pay for resource families who provide children and young people with foster care.

I want to thank the Oregon Legislature for demonstrating throughout the session its commitment to providing equitable and effective human services. I am equally indebted to our ODHS staff, working all around the state, who continue to translate the legislature's investments into positive outcomes for people, families, Tribes and communities in Oregon. As we start the 2023-25 biennium, we will continue our unwavering commitment to our Equity NorthStar, RiSE Culture and Trauma Aware – all guiding us toward a future where all who live in Oregon, regardless of race, identity, age, disability or place, have the needed supports to achieve whole well-being. I encourage you to read on and learn more about key bills passed this session and how they will shape this important work going forward.

A handwritten signature in dark ink, reading "Fariborz Pakseresht". The signature is fluid and cursive, with the first name "Fariborz" being more prominent than the last name "Pakseresht".

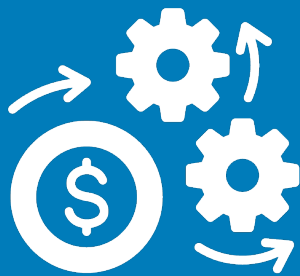
Fariborz Pakseresht, ODHS Director

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LEGISLATIVELY ADOPTED BUDGET



The 2023-25 legislatively adopted budget (LAB) for ODHS amounts to **\$5.7 billion** and **11,034 staff positions** across the agency.

Division	General Fund	Other Funds	Federal Funds
Aging and People with Disabilities	\$1,697,169,850	\$345,699,123	\$3,123,841,888
Central, Shared and SAEC*	\$463,767,753	\$260,844,492	\$334,801,532
Child Welfare	\$970,349,569	\$40,431,711	\$579,880,503
Developmental Disabilities Services	\$1,819,176,873	\$26,471,039	\$3,159,080,894
Oregon Eligibility Partnership	\$368,797,361	\$9,236,425	\$422,675,055
Self-Sufficiency Programs	\$346,746,987	\$340,554,434	\$405,902,488
Vocational Rehabilitation	\$39,666,833	\$10,853,305	\$97,172,306
Totals	\$5,705,675,226	\$1,034,090,529	\$8,123,354,666

*Statewide Assessments and Enterprise-wide Costs

BUDGET HIGHLIGHTS



The Oregon Department of Human Services budget for 2023-25 is outlined in House Bill (HB) 5026. The investments there – along with those from other spending bills like the end of session omnibus bill and Governor Kotek’s housing bill – make up the agency’s \$5.7 billion legislatively adopted budget (LAB) for the new biennium.

[HB 5026](#) increased investments in ODHS operations, new programs and rates for providers serving older adults and people with disabilities.

Highlights include several hundred eligibility positions to assist with the upsurge in medical redeterminations triggered by the end of the federal public health emergency, along with funds that will allow ODHS to expand long-term services and supports to people with disabilities through the Healthier Oregon Program. ODHS also received funding to implement the Medicaid 1115 Demonstration Waiver in coordination with Oregon Health Authority. Key HB 5026 investments are outlined below.

Aging and People with Disabilities

- **Home and community-based services (HCBS)**

The subcommittee approved \$31,407,143 General Fund to allow the continued implementation of the HCBS spending plan to strengthen Medicaid home and community-based services.

- **Healthier Oregon Program**

See Oregon Eligibility Partnership, below.

- **Provider rate increases**

The subcommittee approved \$109,040,129 for rate increases to providers serving older adults and people with disabilities, including nursing facilities, community-based care and in-home service agencies.

Central and Shared Services

- **Records Management**

The subcommittee approved 11 positions to assist with the redeterminations workload and improve the collection of paper, electronic, video and text records by ODHS and Oregon Health Authority (OHA).

- **Water delivery**

The subcommittee approved a one-time \$4,000,000 General Fund investment for water delivery to residents with limited access to safe drinking water.

- **Community engagement**

The subcommittee redirected \$100,000 General Fund to Central Services from Aging and People with Disabilities, Child Welfare, and Self-Sufficiency Programs for community engagement activities, totaling \$300,000. The purpose of this funding is to engage community members and incentivize local participation in policy development and service delivery improvement.

Child Welfare

- **Child safety positions**

The subcommittee approved \$6,907,091 General Fund to hire 202 Child Protective Services caseworkers and support staff, providing additional support to effectively engage with families and assess potential safety risks.

- **Department of Justice legal supports**

The subcommittee approved \$3,967,708 General Fund to cover legal services through the Oregon Department of Justice.

- **Resource family investment**

The subcommittee approved \$16,824,055 General Fund to increase average monthly resource family payments from \$740 to \$981.

Office of Developmental Disabilities Services

- **Home and community-based services (HCBS)**
The subcommittee approved \$63,177,737 General Fund to allow the continued implementation of the HCBS spending plan to strengthen Medicaid home and community-based services.
- **Provider rate increase**
The subcommittee approved \$11,961,102 to enable targeted rate increases for providers serving people with intellectual or developmental disabilities.
- **Healthier Oregon Program**
See Oregon Eligibility Partnership, below.

Oregon Eligibility Partnership

- **Healthier Oregon Program**
The subcommittee approved \$38,232,495 General Fund for the Healthier Oregon Program (HOP) caseload. Starting July 1, 2023, people with physical, intellectual and/or developmental disabilities who are enrolled in the Oregon Health Plan will be eligible for long-term services and supports regardless of their immigration status. The recommendation included 48 positions to perform eligibility-related work.
- **Eligibility Staff Investments**
The subcommittee approved \$30,000,000 General Fund for 300 permanent, full-time positions to perform eligibility determination work, with an emphasis on redeterminations for participants in the Oregon Health Plan and other benefits programs. The subcommittee directed ODHS to clear some of the non-budgeted, eligibility-related positions created to meet demands arising from the federal public health emergency. See budget note on page 15.
- **Medicaid Waiver Coordination**
The subcommittee approved \$4,479,037 General Fund to provide training, customer service and compliance support associated with the 1115 Demonstration Waiver, in coordination with Oregon Health Authority. The subcommittee approved 55 positions for the waiver-related work.

- **Mainframe Migration**

The subcommittee approved \$2,958,688 General Fund for costs and workload related to mainframe migration. The funds, spread among OEP, Shared Services and Statewide Assessments and Enterprise-wide Costs (SAEC), will allow ODHS and OHA to migrate all current mainframe functions and reduce the risk of technology-related disruptions in service. In total, the committee approved 10 positions for the mainframe migration work.

Self-Sufficiency Programs

- **Temporary Assistance to Needy Families (TANF) caseload**

In light of caseload increases, the subcommittee approved \$17,704,709 General Fund to help ensure eligible families will receive needed TANF benefits.

- **Independent residence facilities**

The subcommittee approved \$1,381,525 General Fund to support the transfer of the Independent Residence Facilities unit from Child Welfare to Self-Sufficiency Programs (SSP). The move is designed to improve coordination between the unit and SSP's Youth Experiencing Homelessness Program (YEHP).

Vocational Rehabilitation

- **Responding to the rehabilitation service audit report**

The subcommittee approved five positions to provide technical assistance to school districts in connection to the Youth Transition Program.

Other key spending packages

- **[HB 5019](#), a bill focused on housing initiatives across several state agencies, appropriates \$12,500,000 to ODHS for the purpose of awarding grants to increase access by youth experiencing homelessness to shelter facilities, outreach, culturally specific services and mental health or substance abuse services, and to strengthen**

- partnerships with host home programs and other transitional housing options. It also appropriates \$6,250,000 for the purpose of providing two-year grants to organizations operating host home projects to establish, continue or expand operation of host home projects for youth experiencing homelessness, as well as \$1,171,469, for the administration of programs and services for youth experiencing homelessness. These funds are to be allocated for the biennium beginning July 1, 2023.
- **[HB 5506](#), the end of session omnibus bill, includes \$20.9 million** to extend food, shelter, legal services and other wraparound services for people who are pursuing a case with the United States Citizenship Immigration Services, as well as \$2.5 million for assistance to Afghan refugees. The bill also appropriates \$6.8 million for Child Welfare to make permanent a five percent occupancy rate increase paid to behavior rehabilitation service providers. The funding allocated in this bill is in addition to the \$2.9 million General Fund included in the ODHS budget bill ([HB 5026](#)). Effective upon passage.



POLICY BILLS WITH BUDGET IMPACTS

[House Bill \(HB\) 2683](#) provides that children involved with or at risk of being involved with Child Protective Services can qualify for the Employment Related Day Care (ERDC) subsidy. The bill also expands the ERDC subsidy for homelessness services, teen parent services and domestic violence services. Rules will be adopted no later than July 1, 2025.

[HB 3395](#) requires ODHS to provide financial support to nonprofit organizations providing affordable housing support to low-income college students across Oregon. The department-related directives go into effect June 30, 2023.

[HB 3409](#) creates resilience hubs across Oregon, requiring the Office of Resilience and Emergency Management (OREM) to provide grants, support and technical assistance with an emphasis on extreme weather and disaster events. The bill's effective date is July 27, 2023.

[Senate Bill \(SB\) 91](#) requires the Office of Developmental Disabilities Services (ODDS) to apply for approval from the Centers for Medicare & Medicaid Services (CMS) to operate a permanent program that allows parents to be paid as caregivers for their minor children with intellectual or developmental disabilities who have the most significant needs. The bill establishes certain eligibility requirements and limits the program budget to \$3 million GF. The bill also directs ODDS to initiate the CMS application process on or before August 1, 2023, or 30 days after the Governor signs SB 91 – whichever event happens first.

[SB 104](#) requires ODDS to contract with one or more “agency with choice services” providers to support individuals in self-directing their care and managing their personal support workers. The contract must be in place no later than July 1, 2024. The bill takes effect upon signing by Governor.

[SB 420](#) directs ODHS to provide service coordination, resource navigation, advocacy, and options counseling to individuals with brain injuries. It directs ODHS to convene a Brain Injury Advisory Committee to advise on policy and funding matters that would address the needs of individuals with brain injuries. It also directs ODHS to report biennially to legislature on enumerated details about brain injury services and people served. The bill is effective July 31, 2023 .

[SB 556](#) establishes in statute the existing practice of not using specific money received on behalf of a child in care for maintenance costs while also expanding the practice to

children with intellectual or developmental disabilities. The bill is effective July 31, 2023.

[SB 609](#) relates to Supplemental Nutrition Assistance Program (SNAP) work requirements and requires ODHS to count hours worked as a graduate assistant while pursuing an advanced degree to count toward SNAP eligibility. The bill becomes operative January 1, 2025.

[SB 790](#) allows the Office of Training, Investigation and Safety (OTIS) to investigate allegations of wrongful restraint and involuntary seclusion in schools. The bill becomes effective July 31, 2023.



BUDGET NOTES

- **Long Term Care Wages**

In the 2021-23 biennium, the legislature approved a temporary 10 percent enhanced Medicaid rate for assisted living facilities, residential care facilities, memory care-endorsed facilities and in-home care agencies to support raising wages for direct care staff in these settings. The Medicaid rate adjustment approved for the 2023-2025 biennium is intended to protect and maintain those wage increases for direct care staff in home and community-based settings. ODHS is directed to conduct a survey of providers to determine the wages paid to direct care staff to inform future legislative consideration of provider rate adjustments and report to the Human Services Subcommittee of the Joint Committee on Ways and Means by February 15, 2025.

- **Home and Community Based Services Investments**

ODHS shall provide a report to the Human Services Subcommittee of the Joint Committee on Ways and Means by January 1, 2024, on the status of the home and community-based services spending plan. The report shall include actual and projected expenditures for activities in the investment plan, and discuss outcomes associated with spending plan investments.

- **Eligibility Redeterminations**

The Department of Human Services shall report to the Human Services Subcommittee of the Joint Committee on Ways and Means during the 2024 regular legislative session on the status of eligibility redeterminations. The report shall include, but not be limited to, the number of redeterminations completed; the number of redeterminations yet to be completed for compliance with federal guidelines; information on caseload outcomes, including the number of Oregonians enrolled in and disenrolled from the Oregon Health Plan and enrolled in other programs; and the number of budgeted and non-budgeted positions in the OEP program by classification type. The legislative expectation is that ODHS will gradually reduce the non-budgeted positions in this program as the redeterminations workload subsides.

- **Humanitarian Response**

The Department of Human Services is directed to present to the Human Services Subcommittee of the Joint Committee on Ways and Means during the 2024 regular legislative session on (1) the status of efforts to transition the current caseload of 300 individuals (as of June 5, 2023) into community-based housing and wraparound services, (2) the number of similarly-situated individuals who have arrived in Oregon in need of like services, and (3) efforts to connect those individuals with community-based organizations and resources.

- **Wage Study**

The Department of Human Services is directed to conduct a comprehensive rate and wage study across home and community-based service delivery systems, with a focus on providers of in-home and residential care to individuals receiving services through the Office of Developmental Disabilities Services and the Office of Aging and People with Disabilities and provide a written report on the findings and recommendations to the Joint Committee on Ways and Means or Emergency Board no later than September 2024. The report shall provide an analysis of (1) the findings of the wage and rate study; (2) the different required qualifications to provide services in a particular setting; the different service delivery models and service requirements for the service delivery model; and the levels of acuity among recipients of the services provided; and (3) the costs and benefits of recommendations designed to standardize the compensation of direct care workers across programs and service delivery models.



TRACKED BILLS AT A GLANCE*

BILL	TOPIC	EFFECTIVE
HB 2001	Establishes Oregon Housing Needs Analysis	Mar. 29, 2023
HB 2107	Extends automatic voter registration to OHA	Sep. 24, 2023
HB 2112	Relating to the retention of public records	Jan. 1, 2024
HB 2320	Establishes Juvenile Justice Policy Commission	Jan. 1, 2024
HB 2395	Administration and distribution of opioid antagonists	Upon passage
HB 2447	Declarations relating to deceased depositors	Jan. 1, 2024
HB 2468	Relating to certified child care in rental homes	Jan. 1, 2024
HB 2599	Relating to background check fees in respite care	Jan. 1, 2024
HB 2669	Rights of children who are deaf, hard of hearing, or deaf-blind	Jan. 1, 2024
HB 2683	ERDC eligibility for children involved in CW	Jul. 1, 2025

ACRONYMS KEY

HB - House Bill **SB** - Senate Bill
ODHS - Oregon Department of Human Services
OHA - Oregon Health Authority
I/DD - Intellectual/developmental disabilities
SOGIE - Sexual orientation, gender identity/expression
REALD - Race, ethnicity, language, disability

ODHS Units

APD - Aging and People with Disabilities
C/S - Central and Shared Services
CW - Child Welfare
ODDS - Office of Developmental Disabilities Services
OEMS - Office of Equity and Multicultural Services
OEP - Oregon Eligibility Partnership
SSP - Self-Sufficiency Programs
VR - Vocational Rehabilitation

*This list is limited to **passed bills** with direct impacts on ODHS and the people we serve.

BILL	TOPIC	EFFECTIVE
HB 2767	Requirements for approving recovery schools	Upon passage
HB 2804	ODHS workforce assessment and reporting requirements	Sep. 24, 2023
HB 3173	Establishes Tribal Consultation Task Force	Sep. 24, 2023
HB 3234	Prohibits commitment of children with I/DD without parent or guardian consent	Jul. 18, 2024
HB 3235	Child tax credit; directs ODHS to apply for federal waiver to exclude credit in eligibility determinations	Sep. 24, 2023
HB 3256	Requires ODHS approval for parent/guardian to attend child in a developmental disability foster home	Jan. 1, 2024
HB 3306	Wage and training standards for workforce program initiatives	Jan. 1, 2024
HB 3395	Allows affordable housing on commercially zoned lands	Jun. 30, 2023
HB 3396	Establishes Joint Task Force on Hospital Discharge Challenges	Jul. 27, 2023
HB 3409	Reducing barriers to home energy efficiency and resilience	Jul. 27, 2023
HB 3462	Safety and discrimination law compliance for state-provided temporary shelter	At Governor's signing
HB 3558	Modifies definitions related to child care	Jul. 31, 2023
HB 5019	Appropriates funds to ODHS Youth Experiencing Homelessness Program and other state housing initiatives	Mar. 29, 2023
HB 5026	ODHS Legislatively Approved Budget	Aug. 4, 2023
HB 5045	Modifies certain General Fund appropriations for the previous biennium	Apr. 6, 2023

BILL	TOPIC	EFFECTIVE
SB 3	High school diploma requirement for post-secondary and financial skills coursework	Jan. 1, 2024
SB 11	Recording and publishing of electronic public meetings	Jan. 1, 2024
SB 80	Changes to statewide wildfire hazard map	Aug. 4, 2023
SB 91	Federal waiver application for paid parent caregivers program for children with I/DD and significant needs	Jul. 18, 2023
SB 93	Modifies state provisions relating to use of restraint or seclusion for children in care	Jul. 13, 2023
SB 99	Prohibits long-term care facilities from taking certain actions based on a resident's actual or perceived SOGIE	Jan. 1, 2024
SB 104	ODHS contracting with Agency with Choice service providers	Jul. 31, 2023
SB 105	Aligns abuse definitions for children and young adults with developmental disabilities	Jan. 1, 2024
SB 141	Updates to provisions related to tax law	Sep. 24, 2023
SB 184	Child support reporting requirements for independent contractors	Jan. 1, 2024
SB 201	Removes requirement of written management plan for each developmental disabilities service provider	Sep. 24, 2023
SB 202	Voluntary placement program for young adults in foster care	Sep. 24, 2023
SB 208	Clarifies conditions for terminating durable or permanent guardianship	Jan. 1, 2024
SB 209	Prohibits disclosure of SOGIE information about children in care	Jan. 1, 2024
SB 210	Eliminates conflicting statutes on mandatory abuse reporting for ODHS staff	Jan. 1, 2024

BILL	TOPIC	EFFECTIVE
SB 215	Relating to school food programs	Juk. 31, 2023
SB 231	Directs ODHS to establish and maintain centralized child abuse reporting system	Jan. 1, 2024
SB 337	Establishes Oregon Public Defense Commission	July 13, 2023
SB 420	ODHS to convene Brain Injury Advisory Committee	Jul. 31, 2023
SB 449	Waiver of undergraduate tuition and fees for adopted former foster children	June 7, 2023
SB 519	Modifies procedure for expunction of certain juvenile records	Sep 24, 2023
SB 548	ODHS to maintain inventory of luggage to be used to move youth in care during placement changes	Jan. 1, 2024
SB 556	Prohibits ODHS use of specified moneys received on behalf of children in care for maintenance costs	Jul. 31, 2023
SB 569	Requires close-captioned TV receivers in public areas	Sep. 24, 2023
SB 606	Establishes Task Force on Modernizing Grant Funding and Contracting	Sep. 24, 2023
SB 609	Graduate assistant hours qualify toward meeting work of Supplemental Nutrition Assistance Program	Jan. 1, 2025
SB 692	Tracking of workplace discrimination and harassment allegations concerning state agency employees	Jan. 1, 2024
SB 757	Requires ODHS to notify perpetrator's attorney of founded disposition of child abuse	Jan. 1, 2024
SB 759	ODHS to report on feasibility of live-in caregivers program serving people with I/DD	June 6, 2023
SB 790	Allows ODHS to investigate allegations of wrongful restraint or seclusion in schools	Jul. 31, 2023

BILL	TOPIC	EFFECTIVE
SB 792	Prescribing license application fees for adult foster homes and providers of developmental disabilities services	Jan. 1, 2024
SB 794	Eliminates certain reporting requirements of adoption placement services	Jun 7, 2023
SB 819	Modifies abbreviated school day program requirements	Jul. 13, 2023
SB 865	ODHS to seek relative placement resources immediately upon the entry of a child or ward into care	Jul 13, 2023
SB 901	ODHS Director authorized to issue certain subpoenas in child abuse investigations	Jun. 7, 2023
SB 913	Technical changes to paid family and medical leave program	Sep. 24, 2023
SB 966	Requires OHA to collect data consistently with standards established for REALD and SOGIE data collection	Jul. 31, 2024
SB 968	Modifies criteria for membership on System of Care Advisory Council	Jan. 1, 2024
SB 1016	Regional support networks for families of people with I/DD	Sep. 24, 2023
SB 1024	Relating to records retention surrounding the restraint or seclusion of children in care or public education programs	Jan. 1, 2024
SB 1047	Small procurement threshold for public contracts	Sep. 24, 2023
SB 1052	Relating to crimes surrounding involuntary servitude and human trafficking	Jan. 1, 2024
SB 1089	Establishes Universal Health Plan Governance Board	Aug. 4, 2023

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