

2022 LEGISLATIVE REPORT

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SUMMARY

We made it through another mostly virtual legislative session. Just to remind you of what went on during this fast-paced short session. We couldn't have done it without the hard work of our legislative champions, DHS leadership, and all of your advocacy throughout the session.

If you have not taken the opportunity to thank your legislator, please take a few minutes to reach out and thank them for their dedication during this whirlwind legislative session.

This session was mostly virtual with the legislators heading to the Capitol for floor sessions. Committee hearings and work sessions continued to be virtual. Legislators adjourned this session after 32 days (3 days early). Halfway through the session, the legislature learned that the revenue forecast was much higher than they had originally thought. This means that the state had brought in more money in revenue and taxes than they had planned for when they had created the budgets. However, they still were working under very tight timelines to make decisions and the short legislative session doesn't allow for lots of policy bills to make it through.

Budget

This short session had a large focus on rebalancing budgets. Here are a few of the budgets that we followed this session:

[HB 5202](#) made several investments including:

- \$2 million for relief nurseries
- \$2 mil investment to raise wages in Healthy families Oregon
- Funding to cover the incentive payments to eligible workers that supported people with IDD during the pandemic
- Funding to cover the retention incentive payments for SEIU employees

See the full breakdown of the [budget](#).

Department of Education: 18% increase in the 21–23 legislatively approved budget.

Investment in Vision Screenings, the creation and implementation of the Early Childhood Suspension and Expulsion Prevention Program–HB 2166 (2021), new summer learning programs for K–12, completion of staffing plan (32 positions), a variety of programs that bolster and support the child care sector, an increase in provider wages in Relief Nurseries, Strong Start programs at the seven public universities in Oregon for an additional school year, funding to OHSU to support the goal of increasing the number of graduates in health care professions.

Department of Human Services: 2.5% increase in the 21–23 legislatively approved budget.

Bargaining agreements for non–state workers, reimbursement of retention incentive payments for direct care workers in nursing facilities, residential homes and the Stabilization and Crisis Unit, funding of Child Welfare positions, funding to enhance the Oregon Food Banks emergency food supply, one–time funding to address pandemic related staffing shortages experienced by ODDS providers, investment in long–term care provider rates for nursing facilities, home and community–based providers, in–home care agencies, and children’s intensive care private duty nurses.

Oregon Health Authority: 1.2% increase in the 21–23 legislatively approved budget.

Established additional behavioral health positions, Cover All People administration, Funding Oregon State Hospital positions, one–time GF investment in the Health System Division for distribution to community mental health programs (CMHP), funding positions in the Crisis Stabilization System, expansion of Citizen Waived Medical Services.

Bills

In total 259 bills were introduced during this short session. The DD Coalition GO! Project was closely monitoring 52 bills. For a full report of priority bills listed by subject area, we invite you to reference our [End-of-Session Bill Tracking Report](#). Unfortunately, some important bills never made it out of committees due to the short time frame of the session. The good news is that we also saw some crucial bills pass that will greatly impact Oregonians with disabilities and their families.

Important Bills of Note:

SB 1548B: Agency with Choice | Sprinklers | Transparency (Passed)

This was a catch-all bill that included three distinct policy areas:

- Agency with Choice where a provider would act as the employer of record for direct support professionals (DSPs) who support people with IDD including performing tasks related to coordinating schedules, tax withholdings, and verifying DSP qualifications
- Providing a report on the impact of sprinkler system requirements in residential training or foster homes and extending the date to implement sprinkler system requirements
- Agency transparency and reporting, adopting recommendations from ODHS related to SB 725 (2021)

There have been a couple of amendments, and the current adopted version is 1548 B. Amendments were to clean up language and wording and then to add positions to ODHS to accomplish the work of the bill.

This bill is effective upon passage, but it is expected to take some time to get going.

- ODDS has to research “Agency with Choice” in other states and provide a report on models to the legislature in October 2022. ODDS is already pulling together a workgroup to help with the implementation planning and rulemaking for Agency with Choice.
- The report on the impacts and cost of sprinklers is due from ODDS to the legislature by October 2022.
- A report on how to create a license and fee schedule that would be adjusted with the economy is also due to the legislature in October 2022.
- The Reporting and transparency parts must be established in rule by October 2023.

SR 201: Honoring Kathryn Weit

This Senate Resolution honored Kathryn Weit, a state and federal policy leader who was a change leader who developed and protected essential services for children with I/DD and their families. For more than 3 decades, Kathryn was behind every major change in Oregon’s DD Services System.

Kathryn’s legacy includes working to ensure people with I/DD could:

- Live in the community by closing Fairview Training Center
- Get DD services without a long waitlist
- Work at community jobs
- Have the support needed to grow up with their families rather than in nursing homes or institutions

Kathryn's legacy will live on for generations to come and this Senate Resolution was a way to honor that. On Thursday, February 10th, the Senate honored Kathryn and shared testimonies of the impact of her work from communities across Oregon. A special thank you to Senator Gelser Blouin for arranging this special time to honor Kathryn.

SB 1578A: Discrimination of Students with Disabilities (Did not pass)

SB 1578 would have allowed the Oregon Department of Education (ODE) to act quickly to restore access to full-time, in-person public school for students with disabilities. Additionally, it would have given ODE the limited authority to immediately respond to allegations of violations of the law by school districts when failure to act immediately would:

- Cause physical harm to a child
- Cause a child to unlawfully be denied more than five school days in a school year
- Substantially limit access to public education through an unlawful policy or action that violates state and federal nondiscrimination laws.

Senate Bill 1578A also would have given the Oregon Department of Education the authority, when appropriate, to require districts to restore access to full-time instruction when the investigation is ongoing or immediately cease actions leading to physical injury.

With no known opposition to the bill and formal support from the Oregon Department of Education, OSBA, COSA, and the Governor it is unclear why Senate Sill 1578A did not move forward this session. We have every confidence that we will see this legislation again in the next session and are anxious to see it funded in the future. We want to thank all of you for your strong advocacy on this bill during the session. Your voices were heard, and your advocacy was noted by legislators.

Other Important Policy Bills of Note:

HB 5048: Permits parent or guardian to admit child, with or without child's consent, to inpatient treatment facility or program licensed by Oregon Health Authority or Department of Human Services for certain mental, emotional, behavioral health or substance use disorder treatment. (Did not pass)

HB 4032: Directs Early Learning Division to develop and maintain informational resources relevant for children with disability. Requires childcare providers and early childhood educators to receive training related to informational resources. (Did not pass)

HB 4031: Establishes state goal that percentage of diverse employees employed by Department of Education reflects percentage of diverse students in public schools. (Passed)

HB 4058: Directs Oregon Health Authority to create program to acquire and distribute air conditioners and air filters on emergency basis to individuals eligible for medical assistance. (Did not Pass)

HB 4137: Allows landlord and tenant to agree to assessment of charge in lieu of security deposit. (Did not pass)

SB 1556: Requires Department of Human Services to establish certification process for direct care providers of home or community-based services and implement online registry of direct care providers of home or community-based services. (Passed)

HB 4004: Requires Oregon Health Authority to distribute grants to behavioral health care providers for staff compensation and workforce retention and recruitment. (Passed)

HB 4011: Creates qualified mental health associate incentive program within Oregon Health Authority. (Did not pass)

HB 4005: Extends date for transition of Early Learning Division to Department of Early Learning and Care. (Passed)

HB 4113: Requires electronic voter registration system to allow qualified individual to register to vote if individual has Social Security number. (Passed)

HB 4142: Expands crime of assault in the third degree to include causing physical injury to person working in hospital while worker is performing official duties. (Did not pass)

SB 1528: Directs Department of Human Services to provide specified services to individuals with brain injuries and to convene Traumatic Brain Injury Advisory Committee. (Did not pass)

SB 1547: Requires operators, employees and certain volunteers of preschool recorded programs and school-age recorded programs to be enrolled in Central Background Registry. (Passed)

What is Coming Up Next...

We have a long session next year! We will keep you informed leading up to the start of that session and we look forward to the advocacy opportunities ahead!