



HOME CARE COMMISSION

Meeting Minutes

April 2, 2009

Members present:

Don Bruland, Judy Cunio, Sharon Ely, Scott Lay (via phone), Angela Munkers, Dayle Niemie, Lyla Swafford, Michael Volpe

Members absent:

Patricia Brost

Others present:

Jorja Brown, Joan Claypool, Shana Garvey, Peter Jansen, Art McCurdy, Maria Michael, Glenna Niemie, Coleen Rogers, Tony Rogers, Dottie Schwab, Carol Simonds, Abby Solomon, Cheryl Willcoxon

Staff present:

Yvonne Fleming, Leslie Houston, Kelly Rosenau, Wendy Sampels, Cheryl Sanders

MEETING CALLED TO ORDER

The meeting was called to order at 10:08 am by Mike Volpe.

INTRODUCTIONS

Introductions were made by all in attendance.

ADOPTION OF AGENDA

The agenda was reviewed and accepted as presented.

APPROVAL OF MINUTES

The minutes of March 5 were reviewed. Dayle Niemie commented that Claudia Babcock's budget report misstated the ending report date as "December 31, 2008." It should have been "January 31, 2009." Don Bruland made a **motion** that the minutes be accepted with noted correction. **Seconded** by Dayle Niemie. **Approved.**

ANNOUNCEMENTS

Leslie Houston announced that Shana Garvey, a trainer, was observing the Commission meeting today.

PUBLIC TESTIMONY

Tony Rogers, a ventilator dependent quadriplegic, stated that it is difficult to find homecare workers on a list generated by the RRS as most of them have little or no experience, making it difficult to get qualified workers. When they find workers, they oftentimes pay for the worker's training out of their own pocket. In addition, the Respiratory

Care class that the Commission offers is only held in Bend and the Portland area, and not in Salem. Also, the class is very basic; a class with more detailed training would be helpful to HCWs and beneficial to consumers.

Coleen Rogers, wife of Tony Rogers, gave testimony. Coleen thanked the Commission for the work that they do and has seen enormous progress in the last year and a half in training opportunities for HCWs.

Issues that Coleen presented to the Commission included:

- ✓ Tony and Coleen Rogers feel that quality care is not being provided to consumers who are ventilator dependent quadriplegics.
- ✓ The Rogers have been told that the Respiratory Care class offered by the Commission is very basic and does not include training on an actual ventilator, nebulizer, etc.
- ✓ The Rogers have hired three new caregivers in the past year and estimate that it takes about 40 hours to adequately train a HCW to the point where they feel that they can leave them alone with Tony in a safe environment. Coleen, who is a Registered Nurse, trains the HCWs. If the Rogers didn't provide the proper training, they would go through many more caregivers than they do now which would be more costly for both them and the State.
- ✓ Without proper training, there are a lot more work-related injuries, the environment is not healthy or safe for Tony, and causes an immense amount of financial and emotional stress.
- ✓ When a new caregiver is hired, they are not paid to take the mandatory orientation. The cost of attending this then falls on the Rogers.

Angela Trinidad, a HCW, gave testimony. Angela started working for Tony Rogers in November 2000 and worked full time for the first three years. In those years, she trained approximately 200 HCWs as many workers would show up for the first day of training and then not return. That usually meant interviewing and training three to five more workers before one would commit to the caretaking. And then there is also a high turnover rate in this field. Angela stated that when she trains another HCW that the hours come out of that particular HCW's allotted caretaking hours. Many HCWs are receiving training at no pay and working extra hours for no pay, just because it is needed to properly care for the consumers.

Angela questions whether or not she should be expected to teach caregiving tasks at this level. Shouldn't it be done by a more qualified person? During her testimony, Angela became aware (through input by Commissioners and others in the meeting) that there are Contract Nurses who are to train HCWs in these kinds of higher-level care needs. Angela did not know this and had only been discussing this issue with a Case Manager and was getting no results. Angela Munkers suggested that Angela Trinidad talk with the Supervisor and District Manager in her work area about this issue.

Angela Trinidad asked that the Commission have more contact with caregivers and talk more with Case Managers so that they are more aware of what is going on in the field. Angela would have preferred to have been trained by a Contract Nurse than to have gone through what she is going through with her injury that occurred while she was caregiving.

OHCC BUDGET UPDATE

Cheryl Sanders stated that Claudia Babcock had been called away on an emergency, and there would be no budget report for this meeting.

HUBB UPDATE

Cheryl Willcoxon reported that HUBB's medical/dental premium invoice to DHS for March 2009 totaled \$2,336,861.26 including adjustments.

Cheryl presented the HUBB 2008-2009 Plan Year Insurance Premium Summary, April 2008 – March 2009. Total combined medical/dental premiums paid in this plan year to ODS and Kaiser totaled \$27,419,448.47.

Cheryl reported that in March, 159 new HCWs enrolled in medical insurance, and 129 were terminated due to lost eligibility. During the 2008-2009 plan year (April 2008 – March 2009), 1,899 new HCWs enrolled in a medical/dental insurance plan and 1,588 were terminated due to lost eligibility.

Cheryl Willcoxon stated that discussions between HUBB, DHS, and others are continuing on how to implement premium subsidies for COBRA continuation coverage for eligible HCWs. HUBB has a work plan that will be followed. They have model notices from the Department of

Labor and plan to have those notices out to over 1,000 possible eligible COBRA participants by April 15-16.

Cheryl presented a HUBB Summary of Experience of the Homecare Worker Benefit Plan (Medical/Pharmacy/Vision and Dental for both Active and COBRA participants) with The ODS Companies. Among other data, this report included premium dollars received by ODS, claims paid by ODS, and the resulting loss ratios.

SENATE BILL 702 DISCUSSION

Meghan Moyer, Political Organizer for SEIU, stated that one of the things that prompted Senate Bill 702 was the tremendous success of the Home Care Commission (HCC) and the substantial improvement and quality that has been recognized by area agencies, the Department, HCWs, and consumers. Providers under the HCC have been afforded many opportunities via training, etc., and the home care provided by providers (trained under the HCC) "has been able to really grow, professionalize, and provide a level of quality that everyone can be proud of."

In light of the above experience, Meghan stated that SEIU became concerned about DHS's policy direction of how they were going to implement the Independent Choices program and its effect on the Union and the opportunities available to HCWs employed in that program. SEIU engaged in the rule making process for this program and gave public testimony about their concerns. SEIU was unsuccessful in seeing the changes that they felt were necessary and appropriate come about and began having conversations about how they might approach a legislative fix. At this time, SEIU began researching other home care programs under DHS. They were not aware of the extent that DHS was running home care programs outside of the HCC. Of all of the programs that have home care components, three* are affected by the HCC, and eight** are not. SEIU is concerned about this as being a "trend" and is not in line with Ballot Measure 99 and the intent of the voters which was having a comprehensive approach toward home care delivery and using the Commission as that entity that ensures quality for consumers and provides training opportunities, etc., for HCWs. Eight programs are not benefiting from the excellent work of the Commission. The intention of Senate Bill 702 including the amendments is to put the Department in line with the Oregon Constitution and statutes that were created after that which would put all home care programs (client-employer

relationships, state funded) under the purview of the HCC and that those workers would have the right to form a union if they chose to. It is also intended that the RRS be expanded to include workers in each program so that consumers could search for workers by program type.

- * Client Employed Provider Program
 - Oregon Project Independence
 - Spousal Care Program

- ** Independent Choices
 - Personal Care Services
 - Children's Intensive In-Home Services
 - Family Support Services for Children with Developmental Disabilities
 - Comprehensive In-Home Support for Adults with Developmental Disabilities
 - Support Services for Adults with Developmental Disabilities
 - Medically Fragile Children Services
 - Medically Involved Children's Program

Arthur Towers, Political Director for SEIU, Salem, stated that he worked on Ballot Measure 99 and much has been accomplished since the measure passed. It has made a real difference in people's lives. This is such a success story. Arthur stated that it's been exciting, since working on Senate Bill 702, to see the interest of other advocates in the work of the HCC. Children First for Oregon is excited about working with the HCC on improving the quality of homecare for children, and this will be a big step forward in broadening the support in the community for the HCC to advocates for other programs. Arthur thanked the Commission for all of their good work and leadership as the Home Care Commission in Oregon has been such a success story.

WORKERS' COMPENSATION UPDATE

Kelly Rosenau reported:

- 16 new workers' compensation claims were filed in February 2009.
- Lifting/transferring was the leading cause of injury types.
- Most injured body part was the back and shoulder.
- Although claim numbers have dropped, claims are becoming more challenging as one-third of the claims this month were questionable.
- 11 claims were accepted by SAIF in February; 5 claims were

denied; and 4 claims were closed. There are 135 active claims at this time.

STEPS UPDATE

Joan Claypool reported:

- The STEPS CCTV taping went well. Joan thanked those who participated in the process.
- 47 first time new consumers were trained in January 2009. 1,243 total first time new participants have been trained since the project started.
- Project status reports from the CILS were due in March. Eight of the service areas either met or exceeded the minimum number of eligibles to be trained by the end of the year. The five remaining centers anticipate that they will meet the minimum number trained by year end.
- Joan met with the coordinator of Linn-Benton Counties which has the lowest referral rate (at 30%) in the state. They will send out a mass mailing and follow up with phone calls to see if they can bring the number of eligibles up. Also have more referral work to do in Marion, Polk, Yamhill, and Lincoln counties.
- \$11,000 was reallocated to four CILs that have already met the number of eligibles.
- An Advisory Committee meeting will be held on April 22. Issues to be discussed at that meeting: 1) language in STEPS brochure pertaining to gift cards; 2) STEPS acronym; and 3) script for phone call follow-up after mass mailing in the Linn-Benton area.
- Joan stated that at the March Commission meeting, Tina Treasure requested that a contract between SILC/OHCC be in place by May 1 if they are to continue the STEPS program. Cheryl Sanders stated that the Commission will not know what the final budget will be by May 1, but that an economic forecast will come out about May 15, and things may look very different at that time. Cheryl spoke with Contracts about extending the contract for three months until the budget is finalized. The cost of extending the STEPS program is estimated at approximately \$28,000/month. In Tina and Cheryl's discussion, they came to the conclusion that the Commission could 1) leave the contract as it is; 2) focus on certain training topics during a certain time period; and 3) look at it however the Commission chose to. A **motion** was made by Don Bruland to extend the SILC/OHCC contract for three (3) months (July 1, 2009

- September 30, 2009) subject to the availability of funds.
Seconded by Angela Munkers. **Approved.**

TRAINING UPDATE

Leslie Houston reported:

- 53 training classes were held in March.
- Total attendance in March was 943.
- The first training class held in Enterprise had 18 HCWs in attendance.
- 17 classes were at or near capacity prior to the event.
- Professional development recipients total 73 to date.
- PVAC focus groups held their first meeting on Monday.

REGISTRY UPDATE

Wendy Sampels reported:

- During March, 16,531 HCWs were "approved to work and career."
- 10,521 HCWs were "approved, career, and complete in the RRS."
- 2,176 HCWs were "approved, career, complete, and available for referral."
- There were 1,762 employer/anonymous users in March.
- 3,335 unduplicated HCWs were referred for work.
- Total calls into the Registry Department were 827. 763 of these were HCWs. The majority of these calls were about 1) user ID and password; 2) HCW profile update; 3) change of HCW address and/or phone number; and 4) mailing HCW User Manuals.
- RRS training classes were held in Portland.
- 241 packets were mailed to HCWs in North/Northeast Portland whose information was incomplete in the RRS.
- Downloading information from OACCESS still has minor errors. A new process is being developed by Brewer Consulting.
- Glossary and Welcome pages have been updated on-line.
- The "Employer Referral or Update" screen has been removed from the RRS. (This screen allowed employers to get lists of HCWs without entering their service needs.)
- Changes and upgrades not yet completed in the RRS:
 - Limit referral lists to 20 HCWs.
 - Give added points to HCWs who go to trainings even if the employer did not specifically ask for trained HCWs.
 - Fix user ID and password automatic retrieval via email.
 - Remove prime number field from employer/anonymous personal information screens.

- Splitting live-in work type to five-day and two-day.

EXECUTIVE DIRECTOR'S REPORT

Cheryl Sanders reported that she received an email from Stella Transue, Administrator, DHS Office of Contracts and Procurement, regarding delegation of authority to procure or supervise the procurement of goods and services, and personal services related to programs under the authority of the Executive Director of the Oregon Home Care Commission. As of January 1, 2008, the Commission received contract authority and is required to have a Designed Procurement Officer (DPO). Cheryl introduced Bill Molloy, Contractor Coordinator for OHCC, who briefly discussed the history/process for a DPO and how it affects the Commission. Don Bruland made a **motion** to authorize Cheryl Sanders to sign an agreement with DHS, Office of Contracts and Procurement, authorizing the appointment of Stella Transue as the Commission's DPO. **Seconded** by Lyla Swafford. **Approved.**

Cheryl Sanders reported:

- Cheryl attended SPD's Managers' Brown Bag meeting.
- Participated in bargaining preparation and actual bargaining meetings.
- Attended SPD's weekly legislative meetings and SPD's stakeholders meeting.
- Cheryl attended the Monthly HCW Issues meeting with SEIU, SPD, and Labor Relations.
- Attended SAIF hearing conferences via telephone.
- Attended networking meeting with AARP, LifeSpan Respite, and Asian Health and Service Center.
- Held an OHCC staff meeting.
- Cheryl stated that Julia Huddleston called with a clarification to a comment made in the February 5th Commission meeting regarding people enrolled in On-the-Move and what happens to them after they are removed from the program. Julia says that during the first year that people are enrolled in On-the-Move that they are case managed by transition coordinators where they receive special benefits and attention. After the one year period, they become Medicaid waived service clients, and case managers will replace transition coordinators. All service plans and service payments are set up in such a way that they will continue under the waiver.
- SEIU invited OHCC to participate in Visibility Day at the Capitol on

May 4. The event will start at 7:30 am and end at 4:30 pm. OHCC will be present, and Cheryl encouraged Commissioners to attend.

- Cheryl distributed a list of "Frequently called Referral Numbers" that was prepared by SEIU for HCWs.

Cheryl Sanders asked the Commissioners if they had any questions or concerns about Senate Bill 702. Questions/concerns were:

- Since the outcome of the budget is unknown and will probably have financial implications, do not want the addition of services to the DD population to impact the quality of services that the OHCC provides.
- Trade-off in terms of services and the budget impact on the Commission relating to the workload, staff, and RRS changes and additional costs.

ADJOURNED

The meeting adjourned at 2:58 pm.

NEXT MEETING

The next Commission meeting will be held on Thursday, May 7, 2009, 10:00 am, 676 Church Street NE, Salem, OR.

Attachments:

- Agenda
- Oregon Home Care Commission Meeting Minutes, March 5, 2009
- SEIU, Local 503, supporting letter for testimony given at April 2 Commission meeting
- HUBB's invoice to DHS for insurance premiums for March 2009
- HUBB 2008-09 Plan Year Insurance Premium Summary, April 2008 – March 2009
- HUBB 2008-09 Plan Year Insurance Premium Summary, April 2008 – March 2009, Fourth Quarter, January 2009 – March 2009
- HUBB 2008 Plan Year Employee Coverage Enrollment Count, April 2008 – March 2009
- SILC STEPS Project Report to Home Care Commission, April 2009
- SILC Consumer/Employer Training Statistical Report, January 2009
- SILC Consumer/Employer Training Statistical Report, Project to Date – January 31, 2009
- Home Care Commission Training Report, March 2009
- Registry Report to the Commission, March 2009
- Workers' Compensation Report, February 2009

- Memorandum from Stella Transue, Administrator, DHS Office of Contracts and Procurement, to Chery Sanders, Executive Director, Oregon Home Care Commission, dated April 2009, regarding Delegation of Authority
- HCWs Frequently called Referral Numbers (from SEIU)