

# Measure 99

## EXPLANATORY STATEMENT

Ballot Measure 99 amends the Oregon Constitution to create the Home Care Commission. The commission, an independent public commission, would be responsible for ensuring high quality home care services for elderly and disabled persons who receive publicly funded personal care in their homes.

The State of Oregon funds in-home support services for eligible elderly and disabled persons. Home care workers provide in-home services, including but not limited to housecleaning, shopping, meal preparation, money management, transportation, personal care and medication management. Home care workers are hired directly by the client. Clients would retain the right to hire home care workers of their choice, including family members.

The Home Care Commission would consist of nine members appointed by the Governor for three-year terms, subject to confirmation by the Senate. Five members would be current or former clients who have received home care services. The Oregon Disabilities Commission, The Governors' Commission on Senior Services, The Oregon Association of Area Agencies on Aging and Disabilities, Senior and Disabled Services or their successor entities, would have one representative each on the Home Care Commission. In making appointments, the Governor may consider any nominations or recommendations made by the representative groups or agencies.

Ballot Measure 99 directs the commission, in its performance of its duties, to first consider the effect of its activities and decisions on improving the quality of service and ensuring that adequate hours of service are provided to clients. The duties of the commission would include but not be limited to providing routine, emergency and respite referrals of qualified home care workers; providing training opportunities for home care workers and their clients; establishing qualifications for home care workers; establishing and maintaining a registry of home care workers; and cooperating with area agencies on aging and disability services and other local agencies to provide these services.

The commission would have authority to contract, lease, acquire, hold, own, encumber, sell, insure, replace, deal in and with and dispose of real and personal property.

Employees of the commission would not be employees of the State of Oregon for any purpose. The state, however, would be responsible for paying the unemployment insurance payments for home care workers.

The commission would be the employer of record of home care workers for collective bargaining purposes. Home care workers would have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining with the commission on matters concerning employment relations. Home care workers would have public employees' collective bargaining rights, with mediation and interest arbitration as the method of concluding the collective bargaining process. Home care workers would be prohibited from striking.

The commission would have the authority to adopt rules to implement its duties and responsibilities.

**Committee Members:**    **Appointed by:**

Kase Kasemeyer	Chief Petitioners
Karla Spence	Chief Petitioners
Earlene Berry	Secretary of State
Connie Lough	Secretary of State
Rick Stucky	Members of the Committee

*(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)*

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