



Senate Committee on Human Services
Oregon State Capitol: 900 Court St. NE Salem, OR 97302

March 4th, 2025

Re: Senate Bill 134

Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Committee,

Thank you for the opportunity to submit testimony on Senate Bill 134. SEIU Local 503 represents workers in nursing home settings, Community-Based Care (CBC) facilities, and foster homes. While there are elements of this policy we support, and we appreciate the intent of the proponents to enhance resident safety and autonomy, we have specific concerns that lead us to remain neutral on the bill as currently drafted.

As a general principle, we strongly support policies that improve resident safety and promote oversight. However, the bill in its current form raises concerns about the potential uses of camera footage and the violation of residents' privacy rights.

Our primary concern is the potential for camera footage to be used unfairly for disciplinary action against direct care workers. The bill does not require recording devices to include date and time stamps, which are essential for providing context and accountability. Without these safeguards, footage could be taken out of context or used to discipline workers without considering the full circumstances of a situation. Direct care workers, like all humans, can make mistakes, but many of these mistakes stem from systemic issues such as inadequate staffing, insufficient training, or lack of safety protocols—issues that are the responsibility of management, not frontline workers. Cameras cannot capture the nuance of these situations, such as the pressure of understaffing or the lack of resources provided by employers. Disciplinary actions based solely on footage risk unfairly targeting workers while absolving employers of their responsibility to provide proper support and working conditions. At SEIU, we have long emphasized that the quality of care provided by direct caregivers is directly tied to the training, resources, and support they receive from their employers. Senate Bill 134, as written, fails to address this dynamic and could exacerbate existing inequities in the workplace.

We also have serious concerns about the potential violation of privacy rights for both residents and caregivers. Electronic monitoring devices, particularly those that record audio and video, could inadvertently capture sensitive or intimate moments that residents may not want shared.

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This includes private interactions, medical interventions, or assistance with activities of daily living (ADLs) such as toileting, dressing, or bathing. Such footage could compromise the dignity and modesty of residents, as well as expose caregivers to unnecessary scrutiny or embarrassment. Additionally, the use of these devices raises serious questions about compliance with HIPAA regulations. If recordings capture protected health information (PHI) or images of other residents or staff, it could lead to unauthorized disclosures and legal liabilities. The bill does not adequately address how these privacy concerns will be mitigated or how HIPAA compliance will be ensured.

We understand there may be an opportunity for further discussion with the proponents, and if amendments are considered, we recommend the following changes:

- Any recording device should be required to include date and time stamps to ensure accountability and accuracy.
- Residents should provide written verification outlining the regulations governing the footage, including who owns the recordings and how they may be used or shared.
- The bill should include language ensuring footage cannot be used for disciplinary action against workers without considering the broader context, such as staffing levels, training, and employer-provided resources. Employers must be held accountable for creating safe and supportive working conditions.

We also want to note that while this bill may be one strategy to improve oversight and quality in long-term care facilities, it does not address the systemic issues that impact the quality of care provided by direct care workers. We urge the committee to consider the concerns outlined above and incorporate amendments that balance the rights of residents with the need to protect privacy, ensure fairness, and ensure that workers have adequate support and resources to do their jobs.

We appreciate the opportunity to share our concerns about SB 134 as currently drafted. We are willing and prepared to work with the proponents of the bill to make changes that address these concerns.

Sincerely,

Courtney Graham
Political Director
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