OREGON DEPARTMENT OF
Human Services
Aging and People with Disabilities

Frequently Asked Questions: Workers’ Compensation and the Benefit Fund Assessment

Updated: March 18, 2026

1. Who pays the Workers’ Compensation premium for homecare Workers’?

The Oregon Home Care Commission (OHCC) pays the cost of the Workers’ Compensation premium for homecare workers.

2. What are the differences between Workers’ Compensation and the Benefit Fund Assessment?

The Benefit Fund Assessment is a fee that pays for return-to-work services if a homecare worker is injured on the job. Return-to-work services assist homecare workers with returning to work as soon as possible. If a worker cannot immediately perform their current job due to physical limitations or constraints, the worker may be returned to a transitional or light-duty job. Workers’ compensation premiums finance most of the benefits received by homecare workers if they are injured on the job.

3. Will there be any cost to the consumer-employer if the consumer-employer allows Workers' Compensation to be purchased for their homecare worker?

The Home Care Commission pays the Workers’ Compensation premium on behalf of the consumer-employer. The consumer-employer may be charged for the Benefit Fund Assessment if a pay-in is required.

4. Will the cost of the Workers’ Compensation be charged against the consumer-employers estate recovery?

The cost of the Benefit Fund as well as the cost of the Workers’ Compensation premium will be a part of the estate recovery in the future.

5. What if the consumer-employer refuses to allow Workers’ Compensation to be purchased?

The consumer-employer would have to find another type of provider to provide their services. An in-home agency could provide in-home services or other community-based care options could be explored.

6. Are independent choices and spousal pay providers covered by Workers’ Compensation?

Yes, both Independent Choices Program providers and Spousal Pay providers are covered by Workers’ Compensation Insurance.

7. I received a call from the Workers’ Compensation insurance wanting information about a homecare worker injury. There is narration in the consumer-employer's record. May I release this information? Do I need a special release of information?

You may release information to the Workers’ Compensation insurance carrier, SAIF, the Oregon Home Care Commission, or the claims processor. Each consumer employer signs a Workers’ Compensation agreement and consent form (SDS 0354) agreeing to provide or release information necessary to process a Workers’ Compensation claim for their homecare worker. An additional release of information is not needed.

8. A homecare worker contacted me about processing a Workers' Compensation claim. Where should I direct them?

The Oregon Home Care Commission website has more information about how to file a claim.

The Workers' Compensation Coordinator with the Oregon Home Care Commission may be reached at 503-378-3099.

Brochure SDS 0355A, "What to do if you are injured on the job" provides additional information.

The Oregon Home Care Commission will process claims and send to SAIF. Document anything reported to you about the injury. This information could be helpful if future questions arise.

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Aging and People with Disabilities at apd.ltss@odhs.oregon.gov or 503-945-5600. We accept all relay calls.

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