

Tina Kotek, Governor

November 19, 2025

Scott Logan
Social Security Administration
Office of Income Security Programs
Keys Section
2518 Robert M. Ball Building
6401 Security Boulevard
Baltimore, Maryland 21235

<Sent electronically to: Keys.Cert@ssa.gov>

Dear Mr. Logan:

As required by Section 1616(e) of the Social Security Act (the Keys Amendment), the State of Oregon assures the Commissioner of the Social Security Administration that the State is in full compliance with the provisions of this subsection of the Act for Federal Fiscal Year 2026.

We have attached a summary of all applicable administrative rules as of Nov. 21, 2025, and will be posting public copies of this summary around the State during the month of December.

The State of Oregon has promulgated, amended, repealed and/or maintained the following relevant Oregon Administrative Rules (OARs) for 2026:

- **Adult Foster Homes (Aging and People with Disabilities (APD)).**
 - Chapter 411, Divisions 049-052 (division 049, amended 09/25/2024;
 - Division 50, amended 09/25/2024;
 - Division 51, amended 09/25/2024; and
 - Division 52, amended 01/01/2022);
- **Residential Care and Assisted Living Facilities (APD).**
 - Chapter 411, Division 054 (amended 03/10/2025);
- **24-Hour Residential Programs and Settings for Children and Adults with Intellectual or Developmental Disabilities.**
 - Chapter 411, Division 325 (temporary rule effective 7/21/2025 through 01/16/2026);
- **Foster Homes for Children with Intellectual or Developmental Disabilities.**
 - Chapter 411, Division 346 (amended 07/15/2025);
- **Host Home Programs and Settings for Children with Intellectual or Developmental Disabilities.**

- Chapter 411, Division 348 (amended 07/15/2025);
- **Adult Foster Homes for Individuals with Intellectual or Developmental Disabilities.**
 - Chapter 411, Division 360 (amended 07/15/2025);
- **Criminal History Check.**
 - Chapter 407, Division 007, (amended 03/27/2024);
 - Chapter 943, Division 007 (amended 02/10/2020);
- **Abuse Investigations and Safety- (OHA)**
 - Chapter 943, Division 45 (amended 12/01/2023)
- **Office of Training, Investigations and Safety - Abuse in Community Developmental Disabilities Programs and Facilities (ODHS Shared Services).**
 - Chapter 419, Division 100 (amended 12/04/2024);
- **Office of Training, Investigations and Safety - Child-in-Care Abuse (ODHS Shared Services).**
 - Chapter 419, Division 210, (amended 11/01/2024);
- **Office of Training, Investigations and Safety – Abuse in Community Mental Health Programs and Facilities (ODHS – Shared Services).**
 - Chapter 419, Division 110 (amended 12/04/2024);
- **Office of Training, Investigations and Safety- Abuse in Oregon State Hospitals (ODHS – Shared Services).**
 - Chapter 419, Division 120 (amended 12/01/2023);
- **Office of Training, Investigations and Safety- Abuse in Residential Substance Use Disorder Treatment Facilities (ODHS – Shared Services). –**
 - Chapter 419, Division 130 (amended 12/04/2024);
- **Enhanced Care Services.**
 - Chapter 309 Division 019 Section 0155 (amended 10/15/2024);
- **Residential Treatment Facilities and Residential Treatment Homes for Adults with Mental Health Disorders.**
 - Chapter 309, Division 035 (amended 03/01/2025);
- **Adult Foster Homes (Behavioral Health Division).**
 - Chapter 309, Division 040 (amended 03/01/2025);
- **Outpatient Addictions and Mental Health Services.**
 - Chapter 309, Division 019, (amended 6/30/2025) (temporary amendment filed 09/15/2025, effective 09/15/2025 through 03/01/2026);
- **Residential Substance Use Disorders and Problem Gambling Treatment and Recovery.**
 - Chapter 309, Division 018 (amended 10/24/2024) Chapter 415 Division 50 (amended 04/07/2023); and
- **Intensive Treatment Services for Children and Adolescents & Children’s Emergency Safety Intervention Specialist (CESIS).**
 - Chapter 309, Division 022 (amended 02/01/2023) Chapter 415 Division 12 (amended 04/15/2021),

- Chapter 415 Division 50 (amended 04/07/2023).

If you have any questions or concerns regarding these assurances or the attached rules, please contact Donny Jardine, OHA/ODHS/CMS Liaison, at 503-422-5102 or donald.jardine@oha.oregon.gov.

Sincerely,



Sejal Hathi, MD MBA
Director

Attachment: Rules Summary

EC: Nakeshia Knight-Coyle, APD/ODHS
Emma Sandoe, Medicaid Division/OHA
Darlene Okeeffe, ODDS/ODHS

Administrative Rules Related to Keys Amendment Assurances
- State of Oregon -
October 2025

Oregon Department of Human Services (ODHS), Aging and People with Disabilities (APD) and Office of Developmental Disabilities Services (ODDS)

The following is a list of the ODHS rules that provide standards for facilities where a significant number of Supplemental Security Income (SSI) recipients are likely to reside. These standards span building maintenance, fire safety, sanitation, food, health, program and care services, staffing, residents' rights, and administrative management. The facilities are routinely inspected to determine substantial compliance with federal and state laws and licensure rules.

Adult Foster Homes (APD) – Chapter 411, Divisions 049-052 (division 049, amended 09/25/2024; division 50, amended 09/25/2024; division 51, amended 09/25/2024; and division 52, amended 01/01/2022).

(1) The purpose of these rules is to establish the minimum standards and procedures for adult foster homes that provide care and services for adults who are older or adults with physical disabilities in a home-like environment that is safe and secure.

(2) Adult foster homes: (a) Provide necessary care and services that emphasize the resident's independence through a cooperative relationship between the resident (or court-appointed guardian) and the resident's care providers. (b) Care and services are provided in a setting that protects and encourages resident dignity, choice, and decision-making while addressing the needs of the resident in a manner that supports and enables the residents to maximize their ability to function at the highest level of independence possible.

Residential Care and Assisted Living Facilities (APD) – Chapter 411, Division 054 (Amended 03/10/2025).

(1) The purpose of these rules is to establish standards for assisted living and residential care facilities that promote the availability of a wide range of individualized services for

elderly and persons with disabilities, in a homelike environment. The standards are designed to enhance the dignity, independence, individuality, and decision-making ability of the resident in a safe and secure environment while addressing the needs of the resident in a manner that supports and enables the individual to maximize abilities to function at the highest level possible.

(2) Residential care and assisted living facilities are also required to adhere to Home and Community-Based Services, OAR 411-004. For purposes of these rules, all residential care and assisted living facilities are considered home and community-based care settings and therefore shall be referred to as "facility".

24-Hour Residential Programs and Settings for Children and Adults with Intellectual or Developmental Disabilities (ODDS) – Chapter 411, Division 325
(Temporary Effective 07/21/2025 – 01/16/2026).

(1) The rules in OAR chapter 411, division 325 prescribe standards, responsibilities, and procedures for 24-hour residential programs delivering home and community-based services to individuals with intellectual or developmental disabilities in 24-hour residential settings.

(2) These rules incorporate the provisions for home and community-based services and settings, person-centered service planning, and individually-based limitations, set forth in OAR chapter 411, division 004.

(3) These rules and the rules in OAR chapter 411, division 004 ensure individuals with intellectual or developmental disabilities receive services in settings that are integrated in and support the same degree of access to the greater community as people not receiving home and community-based services.

(4) Effective September 1, 2018, each 24-hour residential setting must be in full compliance with the requirements for home and community-based services and settings set forth in OAR chapter 411, division 004. All setting and individually-based limitation requirements of home and community-based settings and services must be fully implemented.

Foster Homes for Children with Intellectual or Developmental Disabilities (ODDS) – Chapter 411, Division 346 (Amended 07/15/2025).

(1) The rules in OAR chapter 411, division 346, prescribe the standards and procedures for the provision of Developmental Disabilities-funded foster care services for children with intellectual or developmental disabilities in child foster homes certified by the Department of Human Services as a condition for certification and payment.

(2) These rules incorporate the provisions for home and community-based services and settings and person-centered service planning set forth in OAR chapter 411, division 004. These rules and the rules in OAR chapter 411, division 004, ensure children with intellectual or developmental disabilities receive services in settings that are integrated in and support the same degree of access to the greater community as people not receiving home and community-based services.

(a) A foster provider initially certified on or after January 1, 2016, must meet the requirements in OAR chapter 411, division 004, prior to being certified.

(b) A foster provider certified prior to January 1, 2016, must make measurable progress toward compliance with the rules in OAR chapter 411, division 004, and be in full compliance by September 1, 2018.

Host Home Programs and Settings for Children with Intellectual or Developmental Disabilities (ODDS) - Chapter 411, Division 348 (Amended 07/15/2025)

(1) The rules in OAR chapter 411, division 348, in addition to the rules in OAR chapter 411, divisions 318 and 323, prescribe standards, responsibilities, and procedures for a Host Home Program delivering home and community-based services to children with intellectual or developmental disabilities, including:

(a) The provision of services based on assessed need to provide daily living support, preserve safety, and support community-based living for children receiving services in a Host Home setting;

(b) Development, management, and support for a Host Home setting; and

(c) Transition support and planning for children entering and exiting Host Home placements.

(2) These rules incorporate the provisions for home and community-based services and settings and person-centered planning set forth in OAR chapter 411, division 004. These rules and the rules in OAR chapter 411, division 004 ensure children with intellectual or developmental disabilities receive services in settings that are integrated in and support the same degree of access to the greater community as people not receiving home and community-based services.

Adult Foster Homes for Individuals with Intellectual or Developmental Disabilities (ODDS) – Chapter 411, Division 360 (Amended 07/15/2025).

(1) The rules in OAR chapter 411, division 360 prescribe the standards and procedures for the licensure of adult foster homes for individuals with intellectual or developmental disabilities (AFH-DD).

(2) These rules incorporate the provisions for home and community-based services and settings set forth in OAR chapter 411, division 004 to ensure individuals with intellectual or developmental disabilities receive services in settings that are integrated in and support the same degree of access to the greater community as people not receiving home and community-based services.

(a) An AFH-DD provider initially licensed on or after January 1, 2016 must meet the requirements in OAR chapter 411, division 004 prior to being licensed.

(b) An AFH-DD provider licensed prior to January 1, 2016 must make measurable progress toward compliance with the rules in OAR chapter 411, division 004 and be in full compliance by September 1, 2018.

(3) An AFH-DD facilitates individual choice regarding services and supports, and who provides the services and supports, through a cooperative relationship between the AFH-DD provider, the individual, the legal or designated representative of the individual (if applicable), and the Community Developmental Disability Program.

(4) An AFH-DD protects and encourages the independence, dignity, choice, and decision making of the individual while addressing the needs of the individual in a manner that supports and enables the individual to achieve optimum physical, mental, and social well-being and independence.

Criminal History Check (ODHS) – Chapter 407, Division 007, 0200-0370 (amended 03/27/2024).

(1) The purpose of these rules, OAR 407-007-0200 to 407-007-0370, is to supplement OAR 125-007-0200 to 125-007-0330 with guidelines and requirements specific to background checks for Oregon Department of Human Services (Department or ODHS) and Oregon Health Authority (Authority) subject individuals (SIs). These rules provide for the reasonable screening under ORS 181A.195, 181A.200, 409.027, and 413.036 of SIs to determine if they have a history of specific criminal or abusive behavior identified in federal or state law or rules such that they should not be allowed to work, volunteer, be employed, reside, or otherwise perform in positions covered by these rules.

(2) These rules apply to evaluating potentially disqualifying convictions and conditions of an SI when conducting fitness determinations based upon such information. The fact that an SI is approved does not guarantee employment or placement. These rules do not apply to individuals subject to OAR 407-007-0000 to 407-007-0100 (ODHS Employees, Volunteers, and Contractors) or 407-007-0400 to 407-007-0460 (Abuse Check Rules for Department Employees and Volunteers).

(3) Providers for the Department and the Authority are subject to criminal records and abuse checks. The Authority authorizes the Department to act on its behalf in carrying out criminal and abuse checks associated with programs or activities administered by the Authority. References in these rules to the Department or Authority shall be construed to be references to either or both agencies.

Office of Training, Investigations and Safety- Abuse in Community Developmental Disabilities Programs and Facilities (ODHS Shared Services) – Chapter 419, Division 100 (amended 12/04/2024).

(1) These rules, OAR chapter 419, division 100, prescribe standards and procedures for the investigation of reported abuse, and assessment for and provision of protective services for adults with developmental disabilities in community programs and facilities, and the nature and content of the abuse investigation and protective services report.

(2) The Department's Office of Training, Investigations and Safety (OTIS) has the duties, functions and powers of training, coordinating, assisting, directing and approving the services provided by the Community Developmental Disabilities Programs (CDDP) related to these rules. OTIS is responsible to ensure investigations are conducted in a uniform, objective and thorough manner.

(3) For the purpose of carrying out these rules, Community Developmental Disabilities Programs (CDDP) are Department designees as used in ORS 430.731 and 430.735 through 430.765.

(4) OTIS or CDDP shall receive all reports of alleged abuse, assess the need for protective services and conduct thorough and unbiased investigations to make findings as required by ORS 430.735 to 430.768 and these rules.

(5) Minors, who are persons under the age of 18 years old and not considered emancipated, may not be named as an accused person in an abuse investigation conducted under these rules.

(6) Alleged abuse of young adults who are 18 through 20 years old who are receiving 24-hour residential services from a facility licensed by the Department for children with developmental disabilities or certified as a child foster home, shall be immediately reported to the Department's child abuse reporting hotline for possible action under other Department rules.

(7) Complaints of alleged abuse of adults while:

(a) A student of an educational provider and the accused person is a school employee, contractor, agent, or volunteer of the student's educational provider shall be reported to OTIS for possible investigation under these rules; or

(b) A patient at the Oregon State Hospital shall be reported to OTIS for possible action under OAR chapter 419, division 120.

Office of Training, Investigations and Safety- Abuse in Community Mental Health Programs and Facilities (ODHS – Shared Services) – Chapter 419, Division 110, (Amended 12/04/2024)

(1) Effective 07/01/2019, these rules, OAR chapter 419, division 110 prescribe standards and procedures for the investigation of reported abuse, and the assessment for and provision of protective services for adults:

(a) With a severe and persistent mental illness while in mental health treatment from a community program; or

(b) While receiving services for mental illness in a facility.

(2) The Department's Office of Training, Investigations and Safety (OTIS) has the duties, functions and powers of training, coordinating, assisting, directing and approving the services provided by the community mental health programs (CMHP) related to these rules. OTIS is responsible to ensure investigations are conducted in a uniform, objective and thorough manner.

(3) For the purpose of carrying out these rules, OAR chapter 419, division 110, community mental health programs are Department designees as used in ORS 430.731 through 430.765.

(4) OTIS or CMHP shall receive all reports of alleged abuse, assess the need for protective services and conduct thorough and unbiased investigations to make findings as required by ORS 430.735 to 430.768 and these rules.

(5) These rules ensure affording safety and protection assessments to adults with mental illness upon receipt of a complaint of abuse, while balancing the duty of the Department and community mental health program designees to investigate alleged abuses within services. Therefore investigation of alleged abuse are limited to incidents involving:

(a) Residents receiving services at facilities; or

(b) Adults with severe and persistent mental illness while receiving mental health treatment from a community program and the accused is either:

(A) A mental health treatment service provider; or

(B) A caregiver for the adult.

(6) Minors, who are persons under the age of 18 years old and not considered emancipated, may not be named as an accused person (AP) in an abuse investigation conducted under these rules, OAR chapter 419, division 110.

(7) Complaints of alleged abuse of adults while a patient at the Oregon State Hospital shall be reported to OTIS for possible action under OAR chapter 419, division 120.

Office of Training, Investigations and Safety- Abuse in Oregon State Hospitals – Chapter 419, Division 120 (amended 12/01/2023) (ODHS – Shared Services).

(1) The purpose of these rules, OAR chapter 419, division 120, is to establish the procedures for reporting, investigating and resolving allegations of patient abuse in the Oregon State Hospitals.

(2) The Department's Office of Training, Investigations and Safety (OTIS) has the duties, functions and powers of ensuring investigations of alleged patient abuse at the state hospitals are conducted in a uniform, objective and thorough manner.

(3) OTIS shall:

(a) Receive all mandatory reports of alleged patient abuse by state hospital staff or visitors;

(b) Coordinate the assessment for protective services with the state hospital; and

(c) Conduct thorough and unbiased the investigations to make abuse findings as required by ORS 430.735 to 430.768 and these rules.

Office of Training, Investigations and Safety- Abuse in Residential Substance Use Disorder Treatment Facilities – Chapter 419, Division 130 (amended 12/04/2024) (ODHS – Shared Services).

(1) Effective January 1, 2020, OAR chapter 419, division 130 establishes the Oregon Department of Human Services (ODHS) Office of Training, Investigations and Safety (OTIS) rules for investigating and assessing the provision of protective services related to allegations of abuse of adults receiving residential treatment services for a substance use disorder (SUD) from a facility licensed by the Oregon Health Authority (OHA).

(2) OTIS shall conduct thorough and unbiased investigations to make abuse findings and assess protective services in coordination with the Oregon Health Authority (OHA) Behavioral Health Division (BHD) as an evaluation of resident health and safety in SUD residential treatment services.

(3) These rules also describe the procedures to provide an accused person or provider (AP) with a Department administrative review of a substantiated abuse finding determined upon closure of an investigation opened under these rules, prior to issuing a final order.

(4) OTIS shall follow the requirements in these rules and ORS 430.735 through 430.765. When state law and code of federal regulations (CFR) conflict related to confidentiality of SUD patient-identifying information records (42 CFR, Part 2, Oct. 1, 2018), the Department and OHA shall defer to federal law. Of note:

(a) OTIS may receive and share Part 2 patient-identifying information and records from BHD regulated SUD residential treatment facilities as described in (2) of this rule for evaluating serious events as part of screening for possible abuse investigation;

(b) OTIS may not use or re-disclose Part 2 patient-identifying information received during investigations unless a specific written patient release of records is obtained; and

(c) OTIS shall securely retain all Part 2 SUD patient-identifying information and records received in (a) and (b) in accordance to the retention schedule established by the Department for abuse investigation reports.

Office of Training, Investigations and Safety - Child-in-Care Abuse (ODHS Shared Services OTIS) - OAR Chapter 419, division 210 (Renumbered and Amended 11/01/2024)

The Department receives reports of abuse of children and screens them to determine the response required under ORS chapters 418 and 419B. The purpose of these rules, OAR chapter 419, division 210 is to describe:

- (1) The circumstances under which the Office of Training, Investigations and Safety (OTIS) is responsible to respond to a report of abuse of a child-in-care and
- (2) The requirements for screening and investigating a report of abuse of a child-in-care that is the responsibility of OTIS.

OAR 419-210-0110 (Renumbered and Amended 11/01/2024)

(7) "Child" means an unmarried person who:

- (a) Is under 18 years of age; or
- (b) Is a child in care, as defined in ORS 418.257.

(9) "Child-in-care" as defined in ORS 418.257 means a person under 21 years of age who is residing in or receiving care or services from:

- (a) A child-caring agency or proctor foster home (CCA certified foster home);
- (b) An ODHS certified foster home subject to ORS 418.625 to 418.645 (Child Welfare foster home); or
- (c) A developmental disabilities residential facility (ODDS group home, ODDS host home, and ODDS foster home).

OAR 419-210-0130 (Renumbered and Amended 11/01/2024)

(2) Investigation required. An investigation is required when either:

- (a) The OTIS investigator determines all of the following are true:

(A) The information alleged in the report meets the definition of abuse in ORS 419B.005 or ORS 418.257.

(B) At the time of the alleged abuse, the respondent was:

(i) A child-caring agency, proctor foster home, Office of Developmental Disability Services (ODDS) licensed group home, ODDS host home or ODDS foster home; or

(ii) An employee, contractor, or volunteer of a child-caring agency, proctor foster home, ODDS licensed group home, ODDS host home, or ODDS foster home.

(C) The alleged victim was a child at the time of the alleged abuse as defined in these rules (OAR chapter 419, division 210).

(b) The director of OTIS determines that the Department is authorized by Oregon law to investigate and it is in the best interest of child safety for OTIS to investigate under these rules (OAR chapter 419, division 210).

Copies of complete rules may be obtained on the internet at the web site of the Office of the Secretary of State <https://secure.sos.state.or.us/oard/ruleSearch.action> or by contacting:

- For OAR Chapter 411, Divisions 001-200, APD Rules: Written request to Kristina Krause, 500 Summer Street NE, E-02, Salem, OR 97301; by calling 503-339-6104; or sending an e-mail to kristina.r.krause@odhs.oregon.gov.
- For OAR Chapter 411, Divisions 300-455, ODDS Rules: Written request to Christina Hartman, 500 Summer St. NE, E-09, Salem, OR 97301; by calling 971-413-4225; or sending an e-mail to christina.hartman@odhs.oregon.gov.
- For OAR Chapter 419, OTIS Abuse Investigation Rules: Written request to Tina Strahan, 4600 25th Ave NE, Suite 150, Salem, OR 97301; by calling 503-510-1084; or emailing Tina.Strahan@odhs.oregon.gov.

Visit the ODHS Administrative Rules websites and contacts page at:

<https://www.oregon.gov/odhs/rules-policy/pages/default.aspx>.

Oregon Health Authority (OHA), Medicaid Division (Medicaid) and Behavioral Health Division (BHD)

The following is a list of OHA Medicaid and BHD rules that provide standards for facilities where a significant number of supplemental Social Security Income (SSI) recipients are likely to reside. These standards address building layout and maintenance, fire and other safety, sanitation, nutrition, oversight of physical, mental and dental health care, program and care services, staff qualifications and training, residents' rights, and administrative management. The facilities are routinely inspected to determine substantial compliance with federal and state laws and the following licensure and administrative rules.

Enhanced Care Services (BHD) – Chapter 309-019-0155 (amended 10/15/2024).

These rules prescribe standards and procedures for the delivery of mental health services designed to treat eligible persons with severe mental illness residing in selected facilities licensed by DHS.

Residential Treatment Facilities and Residential Treatment Homes for Adults with Mental Health Disorders (BHD) – Chapter 309, Division 035 (amended 03/01/2025).

(1) These rules prescribe standards by which the BHD of the Oregon Health Authority (Authority) licenses community based residential treatment facilities and community based residential treatment homes for adults with mental health disorders. The standards promote optimum health, mental and social well-being, and recovery for adults with mental health disorders through the availability of a wide range of home and community based residential settings and services. They prescribe how services will be provided in safe, secure, and homelike environments that recognize the dignity, individuality, and right to self-determination of each individual.

(a) These rules incorporate and implement the requirements of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services for Home and Community-Based Services (HCBS) authorized under section 1915(i) of the Social Security Act;

(b) These rules establish requirements to ensure individuals receive services in settings that are integrated in and support the same degree of access to the greater community

as individuals not receiving HCBS, consistent with the standards set out in OAR chapter 411, division 4.

(2) These rules apply to all Residential Treatment Homes (RTH) and Residential Treatment Facilities (RTF) providing services to adults with mental health disorders regardless of whether the program receives public funds. These rules prescribe distinct standards in some areas for Secure Residential Treatment Facilities (SRTF) or are based on the number of individuals receiving services in the program.

Adult Foster Homes (BHD) – Chapter 309, Division 040 (amended 03/01/2025).

(1) These rules prescribe care and service standards by which the Health Systems Division (Division) of the Oregon Health Authority (Authority) licenses community-based Adult Foster Homes (AFHs) for adults with mental or emotional disorders. The care and services standards are designed to promote the individual's right to independence, choice, and decision making while providing a safe, secure, homelike environment. The provider shall address the individual's needs in a manner that enables the individual to function at the highest level of independence possible:

(a) These rules incorporate and implement the requirements of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services for home and community-based services authorized under section 1915(i) of the Social Security Act;

(b) These rules establish requirements to ensure individuals receive services in settings that are integrated in and support the same degree of access to the greater community as people not receiving these services consistent with the standards set out in OAR chapter 411, division 4.

(2) These rules apply to adult foster homes providing services to five or fewer adults with mental or emotional disorders, regardless of whether the provider receives public funds.

Outpatient Addictions and Mental Health Services (BHD) – Chapter 309, Division 019, ((amended 6/30/2025) (temporary amendment filed 09/15/2025, effective 09/15/2025 through 03/01/2026);

(1) These rules prescribe minimum service delivery standards for services and supports provided by providers certified by the Health Systems Division (Division) of the Oregon Health Authority (Authority).

(2) In addition to applicable requirements in OAR 410-120-0000 through 410-120-1980 and 943-120-0000 through 943-120-1550, these rules specify standards for behavioral health treatment services and supports provided in:

- (a) Outpatient Community Mental Health Services and Supports for Children and Adults;
- (b) Outpatient Substance Use Disorders Treatment Services; and
- (c) Outpatient Problem Gambling Treatment Services.

Residential Substance Use Disorders and Problem Gambling Treatment and Recovery (BHD) – Chapter 309, Division 018, Chapter 415 Division 50 (amended 10/24/2024).

Purpose: These rules prescribe minimum standards for services and supports provided by addictions and mental health providers approved by the Health Systems Division of the Oregon Health Authority.

(2) Scope: In addition to applicable requirements in OAR 410-120-0000 through 410-120-1980 and 943-120-0000 through 943-120-1550, these rules specify standards for services and supports provided in:

- (a) Residential Substance Use Disorders Treatment and Recovery Services; and
- (b) Residential Problem Gambling Treatment and Recovery Services.

OAR 415 Division 50

Purpose: These rules prescribe the standards for the development and operation of withdrawal management programs approved by the Division.

- (1) Withdrawal management programs must be licensed by the Division in accordance with OAR 415-012-0000 to render detoxification services under ORS 430.306, henceforth referred to as withdrawal management services. A License issued to a

program must be effective for a duration not to exceed two years from the date of issue and may be renewed, conditioned, denied, suspended, or revoked by the Division in the manner set forth in OAR 415-012. Licensed programs must meet the standards set forth in these rules and all applicable statutes

(1) All providers must develop and implement written policies and procedures, compliant with OAR 415-050.

(2) Policies must be available upon request.

Intensive Treatment Services for Children and Adolescents & Children's Emergency Safety Intervention Specialist (CESIS) – Chapter 309, Division 022, (amended 02/01/2023) Chapter 415 Division 12 (amended 4/15/2021).

(1) OAR 309-022-0100 through OAR 309-022-0192 prescribe minimum standards for services and supports provided by addictions and mental health providers approved by the Health Systems Division (Division) of the Oregon Health Authority (Authority) to operate under:

(a) An Intensive Treatment Services (ITS) certificate; or

(b) A Child and Adolescent Integrated Psychiatric Residential Treatment Facility and Residential Substance Use Disorders Treatment Program license (also called an "Integrated license" or "IPSR" program or license).

(2) OAR 309-022-0100 through OAR 309-022-0105 and OAR 309-022-0195 through OAR 309-0122-0230 prescribe minimum standards for services and supports provided by addictions and mental health providers approved by the Division to serve as a Children's Emergency Safety Intervention Specialist (CESIS).

(3) In addition to applicable requirements in OAR 410-120-0000 through 410-120-1980 and OAR 943-120-0000 through 943-120-1550, these rules specify standards for services and supports provided in Intensive Treatment Services (ITS) for children and adolescents.

(4) Entities providing or seeking to operate a child and adolescent Integrated Psychiatric Residential Treatment Facility and Residential Substance Use Disorders Treatment Program (IPSR) shall:

- (a) Meet all the requirements for ITS providers;
- (b) Meet all the requirements for residential substance use disorder treatment programs in OAR 309-018-0100 through 309-018-0215, except as described in subsection (d) below;
- (c) Not be required to obtain a separate license under OAR 309-018-0100 through 309-018-0215 as long as the entities have a valid IPSR license under OAR chapter 309, division 022;
- (d) Meet the requirements for individual rights set forth in OAR 309-018-0115, except that seclusion and restraint may be administered as set forth in OAR 309-022-0175;
- (e) Comply with the requirements of OAR 309-022-0175 and OAR chapter 309, division 022 to the extent that seclusion and restraint is administered; and
- (f) Be subject to the rules in OAR chapter 415, division 012 with respect to the IPSR/Integrated license or application for a license.

OAR Chapter 415 Division 12

- (1) These rules establish procedures for the residential licensure of the following:
 - (a) Any substance use disorder service provider that is or seeks to be contractually affiliated with the Health Systems Division (HSD), a Coordinated Care Organization (CCO), or a local mental health authority for providing residential substance use disorders and problem gambling treatment and recovery services;
 - (b) Any service provider using public funds in the provision of residential substance use disorder prevention, intervention, or treatment services in Oregon;
 - (c) Performing providers under HSD rules OAR 410-172-0600 through 410-172-0860;

- (d) Organizations seeking approval from the Division for provision of residential services as provided in ORS 430.010 and 443.400 or detoxification services under ORS 430.306;
- (e) Alcohol and drug evaluation specialists designated to do Driving Under the Influence of Intoxicants (DUI) diagnostic screenings and assessments under ORS 813.020 and 813.260; or
- (f) Child and Adolescent Integrated Psychiatric and Substance Use Disorders Residential Treatment (IPSR) Programs.

Director's Office, Oregon Health Authority (OHA)

Criminal History Checks (OHA) – Chapter 943, Division 007 (amended 02/10/2020). The purpose of the rules is to inform employees, volunteers, providers and contractors for the Oregon Health Authority (Authority) they are subject to background checks and screening to determine if they have a history of criminal or abusive behavior such that they should not be allowed to work, volunteer, be employed, or otherwise perform in positions covered by these rules.

ABUSE INVESTIGATIONS AND SAFETY- (OHA) Chapter 943, Division 45 (amended 12/01/2023).

OAR 943-045-0000 Adult Abuse Investigations, Assessing Protective Services and Review of Abuse Findings for Mental Health Services.

The standards and procedures for the investigation of abuse, assessment for protective services and review of abuse findings are available at OAR chapter 419 as follows.

- (1) Effective September 1, 2017 for adult community mental health programs and mental health residential treatment services, including adult foster homes, in OAR chapter 419, division 110.
- (2) Effective April 13, 2018 for the state hospitals in OAR chapter 419, division 120.
- (3) Effective March 1, 2019 for requesting a contested case hearing in OAR 419-050-0000 and use of lay representatives in OAR 419-050-0010.

(4) Effective January 1, 2020 for adult residential treatment services for a substance use disorder and recovery, and Oregon Department of Human Services review of substantiated abuse findings in OAR chapter 419, division 130.

Copies of complete rules may be obtained on the internet at the web site of the Office of the Secretary of State <https://secure.sos.state.or.us/oard/ruleSearch.action> or by contacting:

For OAR chapter 943 Rules: Written Request to: Keely West, Director's Office, Oregon Health Authority, 500 Summer St. NE E-20, Salem, OR 97301; by calling 503-945-6292; or sending an e-mail to keely.i.west@oha.oregon.gov.

For Adult Abuse Investigation rules in OAR chapter 943: Written request to: Tina Strahan, 4600 25th Ave NE, Suite 150, Salem, OR, 97301; phone- 503-510-1084; email- Tina.STRAHAN@odhsoha.oregon.gov.