Department of Human Services
Office of Developmental Disabilities Services (ODDS)
ORS 430.216 Legislative Report
2017 Regular Session

June 27, 2017

In accordance with ORS 430.216 (Section 4 of House Bill 2442), as enacted effective June 12, 2009, this document is the report on the safety of individuals receiving developmental disability services. This report follows the format of requested information as outlined in the bill.

(A) The average turnover of direct care workers in service settings.
In 2016, ODDS started to participate in the National Core Indicators (NCI) Staff Stability Survey. NCI is a collaboration of participating states, Human Services Research Institute (HSRI), and the National Association of State Directors of Developmental Disabilities Services (NASDDDS). Agency providers were asked to complete the survey using calendar year 2015 data. In addition to other valuable information, the survey provides data on average staff wages and turnover rates and allows for comparable analysis across the participating states. The Staff Stability Survey is conducted each year.

Based on the survey data, average annual turnover among direct support professionals (DSPs) in Oregon was 52 percent a year.

There are no central data sources for determining the average turnover rates for Personal Support Workers (PSWs) in self-directed in-home services provided through Support Service Brokerages or Community Developmental Disability Programs. Therefore, turnover information on this particular group of direct care workers is not available.

(B) A Summary of the training provided by the Department or its contractors to direct-care workers in service settings.
The Department, through the Office of Developmental Disabilities Services, has contracts with Oregon Technical Assistance Corporation (OTAC) to provide mentoring and training to workers. This training is intended to increase understanding of diverse behavioral challenges and teach proactive strategies to minimize behaviors, develop individual support plans, and implement person-centered support strategies. These contracts are the major source of training the Department provides to direct care staff.

Oregon developed a standardized Individual Support Plan (ISP) for use in all settings. This ISP took the place of 11 unique ISPs which were designed based on the service setting. Extensive training occurred throughout the state in 2015 – 2016 to residential and employment service providers, foster care providers, family members and Services Coordinators and Personal Agents, providing case management services.

Further details on training and technical assistance activities are available in **Appendix A** and includes location of training and the numbers of those participating.

Trainings regarding the Oregon Intervention System (OIS) were also conducted via a contract with Alternative Services Inc. (ASI). In 2015 and 2016, the Office of Adult Abuse Prevention and Investigations (OAAPI) conducted trainings on mandatory abuse reporting and abuse prevention to participants. Finally, the Department, through ODDS, has a contract with the Oregon Developmental Disabilities Coalition. This contract calls for the training of direct care staff and other interested personnel through the use of webinars. The trainings are archived so they can be accessed online after the initial presentations.

(C) A summary of the core competencies required of direct care workers in service settings by the state for licensing or certification.

Adult Foster Care for Individuals with Developmental Disabilities –
Oregon Administrative Rule Chapter 411 Division 360, section 120, Adult Foster Care Home for Individuals with Developmental Disabilities, describes the Department's training requirements for Adult Foster Care providers of individuals with developmental disabilities. Refer to **Appendix B** for specific OAR language.

The Department has developed a standardized training curriculum that all adult foster care providers for individuals with developmental disabilities are required to complete prior to working unassisted. Additionally, provider competencies are monitored during site visits by Community Developmental Disability Program staff and during Department licensing visits. Refer to page 2 of **Appendix B** for details on the Basic Training Course. Training opportunities for Adult Foster Care Providers are listed online at http://www.oregon.gov/DHS/SENIORS-DISABILITIES/PROVIDERS-PARTNERS/Pages/afh-training.aspx

As a part of the collective bargaining agreement between the State and Adult Foster Care providers, there are efforts to improve the availability of training opportunities for providers. Also included in **Appendix B,** is the statement of intent on training included in that agreement. The total collective bargaining agreement can be viewed at:
http://www.oregon.gov/das/HR/CBA/SEIU%20Non%20State%20Adult%20Foster%20Care%20Home%20Providers%2015-19.pdf

24-Hour Residential Services for Children and Adults with Developmental Disabilities –
Oregon Administrative Rule Chapter 411 Division 325 section 0160, 24-Hour Residential Services for Children and Adults with Developmental Disabilities, describes the Department's training requirements for 24-hour residential-services providers. The providers are required to develop and maintain a core competency training plan consistent with the Department's Oregon Core Competencies. Refer to **Appendix C** for specific rule language and detailed description of the core competencies.

The Department requires direct-care workers complete the provider's core competency training prior to working unassisted. Additionally, worker competencies are monitored during site visits by the Community Developmental Disability Program staff and during biennial licensing visits by the Department.

Core competency training modules for Direct Support Professionals (DSPs) and for Services Coordinators (SC) and Personal Agents (PA) were completed by OTAC and delivered to the Department in May of 2015. The modules were loaded into the iLearn electronic training management system where they are accessed by I/DD field staff. During the roll out phase, all DSPs and SC/PAs must complete the Tier 1 and Tier 2 trainings by December 32, 2017. Thereafter, DSPs must complete Tier 1 trainings before working unassisted and within two months of their start date; and Tier 2 trainings within three months of their start date. SC/PAs must complete Tier 1 training within 30 days of their start date and before working unassisted, and complete Tier 2 training within three months of their start date. Funding for this contract was made possible by the Quality Care Fund created as a result of passage of HB 2442.

(D) A summary of the average wages of direct care workers in service, presented by type of services provided.
Data for the average wage of direct support professionals (DSPs) in service settings is derived from the NCI Staff Stability Survey, containing input of agency providers reflecting calendar year 2015 information.

Based on the NCI report the average wage for DSPs for agency providers across all services for calendar year 2015 was $11.57.

Direct care to individuals with developmental disabilities can also be provided through the Medicaid State Plan personal care program. Providers paid for this service are paid a rate established through the Collective Bargaining Agreement with SEIU.

There are no central data sources for determining the average rates paid Personal Support Workers in self-directed in-home services authorized through Support Service Brokerages or Community Developmental Disability Programs. The pay rate is a range from $13.75 to $40.00 per hour and is a part of the Collective Bargaining Agreement with SEIU.

An example of the full array rate ranges for in-home services can be found at:
http://www.dhs.state.or.us/spd/tools/dd/cm/In-Home-Expenditure-Guidelines.pdf

(E) The number of complaints of abuse filed as required by ORS 430.765 and received by the Department under ORS 430.743, reported by type of allegation.

Refer to **Appendix D** for specific details on complaints of abuse by type of allegation and service setting.

(F) The number of direct care workers in service setting who were subject to criminal or civil action involving an individual with a developmental disability.

Refer to **Appendix D** for specific details on complaints of abuse by type of allegation and service setting that were referred to law enforcement.

(G) The number of deaths, serious injuries, sexual assaults and rapes alleged to have occurred in service settings.

Refer to **Appendix D** for specific details of complaints of abuse by service setting.

(H) A schedule of all license fees and civil penalties established by rule pursuant to ORS 441.995, 443.455 and 443.790

Adult foster care for individuals with developmental disabilities – Oregon Administrative Rule Chapter 411 division 360 Section 0050, Adult Foster Home for Individuals with Developmental Disabilities, describes the license application and fees. Licensing fees are **$20.00 per bed** for each individual service recipient. Refer to **Appendix E** for specific OAR language.

Oregon Administrative Rules Chapters 411 division 360 Section 0260 reflect the conditions under which a provider may be subject to civil penalty, including the parameters of the financial limits a provider may be assessed. Refer to **Appendix E** for specific OAR language.

24-hour residential services for children and adults with developmental disabilities –

The Department complies with the licensing fee schedule currently identified in ORS 443.415(2)(a) and (b) and as defined in ORS 443.400 (7) and (9) and ORS 443.400(8) and (10). Fees are **$30.00** and **$60.00** respectively. Refer to **Appendix F** for specific OAR and ORS language.

Oregon Administrative Rules Chapter 411 division 325 Section 0460 reflects the conditions under which a provider may be subject to civil penalty. Refer to **Appendix F** for specific OAR language. The Department has not yet specifically added the mandatory civil penalties required under ORS 441.715(1) (c) and (d) to its OARs but is working in compliance with and imposing mandatory civil penalties as required per ORS.

Trainings:
Monthly Report Totals for January 1, 2015 – December 31, 2015

Date	Time	Event Title	Location	# attending
Jan.22, 2015	9:00 – 3:30	Oregon ISP – CIIS Services Coordinators	Portland	19
Jan. 26, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Portland	18
January 27, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Portland	50
January 28, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Hillsboro	67
January 29, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Hillsboro	94
January 29, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Hillsboro	89
January 30, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Keizer	49
January 30, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Keizer	67
February 10, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Bend	37
February 10, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Bend	6
February 11, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Bend	16
February 11, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Bend	40
February 13, 2015	8:30 – 12:15	Oregon ISP for Provider Organizations	Salem	49
February 17, 2015	8:30 – 12:30	Oregon ISP for Foster Providers (Adults & Children)	Grants Pass	28
February 17, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Grants Pass	46
February 18, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Klamath Falls	20
February 18, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Klamath Falls	35
February 19, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Medford	80
February 19 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Medford	20
February 20, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Medford	27

Date	Time	Event Title	Location	# attending
February 20, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Medford	74
February 23, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Salem	150
February 23, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Salem	14
February 24, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Keizer	55
February 24, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Keizer	60
February 25	8:30 – 12:15	Oregon ISP for Provider Organizations	Albany	75
February 26, 2015	1:15 – 5:00	Oregon ISP for Foster Providers (Adults & Children)	Albany	76
February 27, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Salem	36
March 5, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Portland	66
March 9, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Pendleton	4
March 10, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Pendleton	43
March 11, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Pendleton	25
March 11 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Pendleton	77
March 13, 2015	8:30 – 12:00	Oregon ISP for Provider Organizations	Hillsboro	45
March 13, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Hillsboro	49
March16, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Springfield	1
March 17, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Eugene	59
March 18, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Eugene	78
March 18, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Eugene	105
March 19, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Eugene	96
March 23, 2015	8:30 – 4:30	Oregon ISP for SCs & PAs	Oregon City	63
March 23, 2015	6:30 – 7:30	Oregon ISP – Individual/Family Forum	Portland	7
March 24, 2015	8:30 – 12:15	Oregon ISP for Provider Organizations	Portland	42

Date	Time	Event Title	Location	# attending
March 24, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Portland	41
March 25, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Portland	45
March 25 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Portland	47
March 26, 2015	8:15 – 11:45	Oregon ISP for Foster Providers (Adults & Children)	Portland	36
March 26, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Portland	46
March 27, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Hillsboro	70
March 27, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Hillsboro	89
May 4, 2015	10:00 – 11:00	Teaching skills to people with Significant Learning Challenges		63
May 4, 2015	11:30 – 12:30	Sunny Side Up: Wellness Approaches to Behavior Intervention for People with I/DD		55
June 22-23, 2015	9:00 – 5:00	Behavior Training and mentorship Program: Session 1	Bend	15
June 22, 2015	9 – 5	Oregon Intervention System: OIS- P "P is for Parent"	Redmond	7
June 23, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Tualatin	75
June 23, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Tualatin	86
June 24-26		Behavior Training and Mentorship Program: Session 2 (Webinar)	Webinar	5
June 30 2015	9:00 – 9:45	Online ISP Forum: Q & A for Foster Providers	Webinar	10
June 30 2015	10:00 – 10:45	Online ISP Forum: Q & A for Provider Organizations	Webinar	68
June 30 2015	11:00 – 11:45	Online ISP Forum: Q & A for Services Coordinators and Personal Agents	Webinar	117
July 15, 2015	6:00 – 8:00	Introduction to the Oregon ISP for People and Families	Portland	14
July 21, 2015	10-11	Overview of Updates to the ISP	Webinar	144
July 27-28, 2015	9-5	Oregon Intervention System (OIS) – General Level Workshop	Eugene	10
August 13, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Salem	18
August 13, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Salem	85
August 19, 2015	9:00 – 9:45	Online ISP Forum – Q & A for Foster Providers	Webinar	8

Date	Time	Event Title	Location	# attending
August 19, 2015	10:00–10:45	Online ISP Forum – Q & A for Provider Organizations	Webinar	41
August 19, 2015	11:00 – 11:45	Online ISP Forum – Q & A for Services Coordinators and Personal Agents	Webinar	119
Aug. 25 - 26, 2015	9:00 – 5:00	Oregon Intervention System (OIS) – General Level Workshop	Salem	10
Aug-26, 2015	9:00 – 5:00	Oregon Intervention System: OIS-"P is for Parent"	Portland	7
August 31, 2015	9:00 – 5:00	People Planning Together	Beaverton	11
September 18, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Hillsboro	27
September 18, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Hillsboro	24
Sept. 25, 2015	9-5	Oregon Intervention System: OIS-"P is for Parent"	Eugene	5
Sept. 29, 2015	8:30 – 12:00	Oregon ISP for Foster Providers (Adults & Children)	Eugene	25
September 29, 2015	1:15 – 5:00	Oregon ISP for Provider Organizations	Eugene	29
September 30, 2015	10:00 – 11:00	Risk Identification and Risk Management Responsibilities for Provider Organizations	Webinar	154
Oct. 12, 2015	9-12:30	Behavior Specialist Network Event – Session 1	Grants Pass	32
Oct. 12, 2015	1:30 – 4:30	Behavior Specialist Network Event – Session 2	Grants Pass	28
October 30, 2015	9:00 – 5:00	People Planning Together	Springfield	8
November 18, 2015	9-5	Oregon Intervention System: OIS-"P is for Parent"	Medford	5

Monthly Report Totals for January 1, 2016 – December 31, 2016

Date	Time	Event Title	Location	# attending
January 26-27, 2016	9:00 – 5:00	Oregon Intervention System (OIS) General Level Workshop	Roseburg	16
January 28, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Portland	9
February 11, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Eugene	2
March 28, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Salem	9
April 19, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Portland	10
April 20, 2016	9:00 – 4:00	People Planning Together Workshop: It's Your Life- Take Charge!	Salem	12
April 28, 20016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Hillsboro	62
May 12, 2016	9:00 – 5:00	Oregon ISP for SC/PAs	Portland	44
May 13, 2016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Portland	18
May 13, 2016	1:15 – 5:00	Oregon ISP for Provider Organizations	Portland	47
May 16, 2016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Medford	6
May 16, 2016	1:15 – 5:00	Oregon ISP for Provider Organizations	Medford	36
May 16-17, 2016	9:00 – 4:00	Skill Enhancement Training		14
May 17, 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP Process	Medford	64
May 18, 2016	8:30 – 4:30	Oregon ISP for SC/PAs	Medford	25
May 18, 2016		Behavior Specialist Training		6
May 19, 2016		Behavior Specialist Training		6
May 20, 2016		Behavior Specialist Training		6
May 20, 2017	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Portland	45
May 24, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Oregon City	7
May 24, 2016	9:00 – 4:00	Person Centered Thinking for SCS/PAs	Portland	16
May 27 20016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Keizer	15

Date	Time	Event Title	Location	# attending
May 27, 2016	1:15 – 5:00	Oregon ISP for Provider Organizations	Keizer	50
June 2, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Oregon City	5
June 8, 2016	9:00 – 4:00	People Planning Together Workshop: It's Your Life- Take Charge!	Beaverton	6
June 9 20016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Oregon City	40
June 9 , 2016	1:15 – 5:00	Oregon ISP for Provider Organizations	Oregon City	24
June 22, 2016	9:00 – 5:00	Oregon ISP for SC/PAs	Keizer	38
June 24 20016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Keizer	11
June 24, 2017	1:15 – 5:00	Oregon ISP for Provider Organizations	Keizer	38
June 28, 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP Process	Salem	69
June 29, 2016	9:30 – 10:30	Introduction to New ISP Attachment & Additional tools to support planning	Webinar	124
June 29, 2016	9:00 – 4:00	Person Centered Thinking for SCS/PAs	Grants Pass	14
July 21, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Pendleton	2
August 11, 20016	9:30 – 12:30	Oregon ISP for Foster Providers (Adults& Children)	Eugene	54
August 20, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Gresham	4
August 22, 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP process	Redmond	46
August 23, 20016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	LaGrande	13
Aug. 23, 20016	1:15- 5:00	Oregon ISP for Provider Organizations	LaGrande	47
August 24, 2016	8:45 – 4: 30	Oregon ISP for SC/PAs	LaGrande	9
August 25, 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP Process	LaGrande	28
Aug 31. 2016	8:30 – 4:30	Oregon ISP for SC/PAs	Oregon City	22
Sept. 6, 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP Process	Oregon City	32
Sept. 8 2016	9:00 – 4:00	People Planning Together Workshop: It's Your Life- Take Charge!	Eugene	19
Sept. 9 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP Process	Portland	34

Date	Time	Event Title	Location	# attending
September 21, 2016	9:00 – 5:00	Oregon ISP for SC/PAs	Keizer	20
Sept. 22, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Newport	4
Sept. 22, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"		3
Sept. 28	9:00 – 12:30	Oregon ISP for Provider Organizations	Astoria	18
Oct. 3-4, 2016	9:00 – 4:00	Skill Enhancement Training	Portland	21
Oct. 4, 2016	9:00 – 4:00	Skill Enhancement Training	Portland	21
Oct. 5 – 7, 2016	9:00 – 4:00	Behavior Specialist Training	Portland	22
Oct. 7, 2016	1:15 – 5:00	Oregon ISP for Provider Organizations	Keizer	46
October 11, 2016	9:00 – 4:00	Person Centered Thinking for SCS/PAs	Salem	13
Oct 13, 20016	8:30 – 12:00	Oregon ISP for Foster Providers (Adults& Children)	Oregon City	42
Oct. 13 2016	1:15 – 5:00	Oregon ISP for Provider Organizations	Oregon City	43
October 19, 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Portland	5
Oct. 21, 2016	9:00 – 4:00	Regional ISP Workshop: A deeper dive into the Oregon ISP Process	Keizer	36
Nov. 3-4, 2016	9:00 – 5:00	Oregon Intervention System (OIS) General Level Workshop	Portland	13
Nov 18, 2016	9:00 - 4:00	Behavior Specialist Network Event	Portland	27
Nov. 14, 2016	12:30 – 4:30	Oregon ISP for Provider Organizations	Eugene	40
Dec. 5 2016	9:00 – 5:00	Oregon Intervention System: OIS-P "P is for Parent"	Salem	6
December 16, 2016	10:00-11:00	Putting the Plan into Action	Webinar	56

OTAC Behavior Specialist Training

Month - Year	# of Participants	Locations
June - 15	5	Cascade Region
September - 15	8	Southern Region
Feb - 16	13	Mid-Valley Region
May - 16	6	Eastern Region
Oct - 16	10	Metro Region
Total	**42**	

OTAC Behavior Mentorship Project

Month - Year	# Mentored	Areas of the State – County/Region
Dec - 15	1	Marion / Mid-Valley
Jan - 16	1	Marion / Mid-Valley
Feb - 16	1	Deschutes / Cascade
March - 16	3	Josephine / Southern, Jackson/Southern,
April - 16	1	Jackson / Southern
July - 16	3	Klamath / Southern, Marion/Mid-Valley, Multnomah / Metro
Oct - 16	2	Lane / Cascade, Union/Eastern
Dec - 16	3	Lane / Cascade, Umatilla / Eastern
Jan -17	1	Linn/Mid-Valley
March - 17	4	Multnomah / Metro, Benton/Mid-Valley
Total Mentored	**20**	

OTAC Behavior Specialist Network Training (by topics)

Topics	# of Trainings	# of Participants
Teaching Skills to People with Significant Learning Challenges / Wellness Approaches to Behavior Intervention for People with I/DD	<u>1</u> Session 1 / Session 2	48 / 32
Trauma and Identity / Standards and Best Practices	<u>1</u> Session 1 / Session 2	33 31
Trauma Informed Care / Introduction to LifeCourse Tools / Supported Decision Making / Facilitated Discussion with ODDS	<u>1</u>	25
Dietary issues and Prader-Willi, Diabetes, Food Seeking, PICA and Meal Planning	<u>1</u>	39
Total	**4**	**208**

ADULT FOSTER HOMES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

411-360-0120 Training Requirements
(Amended 9/27/2013)

(1) All providers must complete the Division's Basic Training Course that includes but is not limited to taking and passing an examination on course work and necessary skills. Failure to obtain a passing score on the Basic Training Examination may result in denial or non-renewal of a license pursuant to OAR 411-360-0270. If the applicant fails the first test, a second test may be taken. If the applicant fails the second test, the application may be denied.

(2) All resident manager applicants must complete the Division's Basic Training Course and pass the Basic Training Examination prior to becoming a resident manager. If the applicant fails the first test, a second test may be taken. If the applicant fails the second test, the application may be denied.

(3) All substitute caregivers left in charge of the home in the provider's or resident manager's absence for any length of time must complete the Division's Basic Training Course and pass the Basic Training Examination prior to giving care.

(4) The provider or resident manager must keep documentation of the completed Division Basic Training Course and annual training of substitute caregivers including the date of the training, subject content, name of the agency or organization providing the training, and the number of training hours.

(5) Prior to placement of individuals in the home, the provider must complete an AFH-DD orientation provided by the local CDDP that at a minimum covers the requirements of the rules governing AFH-DD services.

(6) All provider and resident manager applicants must have current certification in first aid by a training agency approved by the Division.

(7) The Division requires at least 12 hours of Division approved training annually for the provider, resident manager, and substitute caregivers of an AFH-DD that must be documented in the record.

(8) If a provider, resident manager, or substitute caregiver is not in compliance with these rules, the Division may require additional training in the deficient area, whether or not the 12- hour approved annual training requirement has already been met.

(9) Providers, resident managers, or substitute caregivers who perform tasks of care that are delegated by a registered nurse or taught by a physician must receive appropriate training and monitoring from a registered nurse or physician on performance and implementation of task of care. The delegated tasks of care must be addressed as part of the ISP.

Stat. Auth.: ORS 409.050 & 410.070 Stats. Implemented: ORS 443.705 - 443.825

Note: The full text of the administrative rule can be found at:
http://www.dhs.state.or.us/policy/spd/rules/411_360.pdf

The Basic Training Course for Adult Foster Care providers for individuals with developmental disabilities is comprised of the following modules:
Module 1 – Introduction to Foster Care
Module 2 – Hiring Staff and being an
Employer Module 3 – Facility Standards
Module 4 – Medication Management
Module 5 – Medication Management Fatal Four (Aspiration, Dehydration, Constipation, Seizures)
Module 6 – Documentation
Module 7 – Individual Support Plans
Module 8 – Working with Challenging
Behaviors Module 9 – Abuse Reporting and Investigations
Module 10 – Safety

The full training manual can be viewed at:
http://www.oregon.gov/DHS/PROVIDERS-PARTNERS/LICENSING/IDD-FOSTER-HOMES/Pages/Training.aspx

LETTER OF AGREEMENT - JOINT CONTRACT TRAINING

The Parties have a mutual interest to ensure that key staff and partners with AFH program responsibility share mutual knowledge and perspectives on the terms of the Collective Bargaining Agreement. To that end, after the Collective Bargaining Agreement is ratified, the intent of the Parties is to collaborate to present training to the key staff and partners.

STATEMENT OF INTENT – TRAINING

Section 1. Training Initiative.
A. It is the intent of the Parties to the Collective Bargaining Agreement to continue the Adult Foster Home (AFH) Training Committee with goals and responsibilities outlined below. The Training Committee shall continue a subcommittee for OHA with a minimum of three (3) OHA providers to address specific areas of concern. The training committee may appoint additional subcommittees for other specific program areas. The Training Committee may disband subcommittees by consensus decision. The AFH Training Committee shall consist of the following members:

1. A minimum of five (5), and up to ten (10) with mutual agreement, representatives from DHS/OHA Central and field offices, who bring specific program knowledge and expertise related to the services provided by Foster Care Providers covered under this Collective Bargaining Agreement (CBA).
2. A minimum of five (5), and up to ten (10) with mutual agreement, representatives from SEIU/AFH.
3. Two (2) representatives from other community-based care Provider groups, e.g. ALF's, RCF's, group homes, homecare, residential treatment facilities, or private pay adult foster homes, not already represented by SEIU/AFH.

B. Based on a shared understanding that quality training enhances skills and improves services provided to residents, the Committee shall have the following broad training goals:
1. Continue to improve and streamline the process for approval of AFH training and/or continuing education unit requirements, including identifying categories of qualified community partners pre-approved to provide training.

2. Continue to explore opportunities to work with agencies and community partners to provide more comprehensive training and alternative methods to deliver training to AFH Providers.
3. Continue to explore methods to make training opportunities to AFH Providers more accessible, such as on-line course study, CD/video/audio curriculum and in-classroom settings.
4. Communicate approved training opportunities through multiple methods, including an identified DHS/OHA website.
5. Continue to invite other appropriate partners, as necessary or as requested by the committee members, to attend the meeting(s) to provide their expertise on training-related topics/issues.
6. Explore free and low-cost on-line training options that meet mandated annual continuing education (training) requirements. Within twelve (12) months of implementation of this Agreement the Committee shall work to achieve the following goals and outcomes:
(a) Maintain the minimum number of required hours/courses available for free on-line (twelve (12) hours for APD, DD and twelve (12) hours for OHA (including the eight (8) required areas). Some courses may meet the requirements for all three (3) program areas.

(b) Evaluate the options for converting current non-digital training to an on-line format. The Agency will convert the current Agency self-study modules to an on-line format within this twelve (12) month period. The Agency will review and update the self-study content as needed during this process.
(c) Discuss appropriate disclaimers to post on the DHS/OHA website to ensure Providers understand that repeat classes may not meet requirements and that the posted 'approved' classes meet the minimum requirements only and may not reflect Agency endorsement.
(d) Discuss and make recommendations regarding the frequency in which certain courses may be repeated.
(e) Develop a plan to keep at least the minimum amount (as referenced in 6(a) above) of free on-line training opportunities posted on the DHS/OHA website.
(f) Will condenser developing online or self-study training related to the most common licensing deficiencies.

C. The results of the committee's work, including recommendations, shall be sent to the Department of Human Services (DHS) Administrators and Oregon Health Authority Administrators (OHA). If DHS or OHA decides to implement any portion of the committee's recommendations, it will strive to give prior notice to the committee members.

D. DHS/OHA, in coordination with the Training Committee, shall complete the following:
1. Develop criteria and implement a form for Providers to record training that does not need prior approval;
2. DHS/OHA will keep the Training Committee informed on its progress to implement the Training program.

E. DHS/OHA and SEIU Local 503 may jointly participate in developing grant opportunities, including any funds available through federal programs.

24 HOUR RESIDENTIAL SERVICES FOR CHILDREN AND ADULTS WITH DEVELOPMENTAL DISABILITIES

411-325-0020 Definitions
(Amended 2/28/2017)

(9) "Competency Based Training Plan" means a written description of a service provider's process for providing training to newly hired staff. At a minimum, the Competency Based Training Plan:
(a) Addresses health, safety, rights, values and personal regard, and the service provider's mission; and
(b) Describes competencies, training methods, timelines, how competencies of staff are determined and documented including steps for remediation, and when a competency may be waived by a service provider to accommodate a staff member's specific circumstances.

411-325-0025 Program Management
(Adopted 6/29/2016)

(4) COMPETENCY BASED TRAINING PLAN. The service provider must have and implement a Competency Based Training Plan that meets, at a minimum, the competencies and timelines set forth in the Department's Oregon Core Competencies.

(5) GENERAL STAFF QUALIFICATIONS. Any staff member providing direct assistance to individuals must:
(a) Have knowledge of individuals' ISP's and all medical, behavioral, and additional supports required for the individuals; and
(b) Have met the basic qualifications in the service provider's Competency Based Training Plan. The service provider must maintain written documentation kept current that the staff member has demonstrated competency in areas identified by the service provider's Competency Based Training Plan as required by OAR 411- 325-0025(4) of this rule, and that is appropriate to their job description.

Note: The full text of the administrative rule can be found at:
http://www.dhs.state.or.us/policy/spd/rules/411_325.pdf

2016 Core Competency Requirements for SCs/PAs

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
101. Introduction to Tier 1 **Online course #___**	Begin Tier 1 by launching this online module. It will introduce you to the core competencies expectations. When you finish all of the online and local requirements for Tier 1, return to this module to acknowledge that you have completed all of the training requirements of Tier 1.	**Online course only**
102. What It Means to Provide Good Case Management (Part 1) **Online course #___** **103. What It Means to Provide Good Case Management (Part 2)** **Online course #___**	Introduction to the role of case management. Understand the basics of effective communication skills including active listening and conveying accurate information in a manner that can be understood by the person receiving services, families, and others. Understand basic professionalism and courtesy. This includes timeliness, respectful communication, returning phone calls and emails in a timely manner, and providing good customer service. Understand how to maintain an impartial point of view when giving options, explaining services, etc. This includes having an awareness of when your own personal values may be influencing your capacity to act impartially. Understand that case management provides information and referral. Develop an awareness of available resources (including services offered by the local CDDP and/or brokerage(s)) and be able to connect people to resources as needed. This may also include awareness of local organization database or other information and referral tools, awareness of other service agencies including DSO, SSA, VR, schools, etc., and awareness of DHS Staff Tools website. Understand that case management requires long-term vision combined with the ability to focus on immediate needs of the person. Understand the concept of "nothing about me without me" and the importance of including the person in planning. Understand basic team facilitation skills, including problem solving, action planning, and leading a meeting. Understand basic conflict resolution. Understand the importance of time management and prioritization within your job. Understand that case management must maintain professional boundaries. Understand your organization's policies regarding accepting gifts, relationships, and use of social media. Understand your organization's policies addressing your personal safety while on the job.	**Online course** **Local training:** Training on your organization's expectations; policies, and procedures; personal safety on the job. **Reading:** Tip sheet on stress and burnout

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	Understand your role within the scope of your organization's policies when confronted with illegal activity.	

104. Rights, Complaints, and Being a Proponent
 	
Online course #___
	Rights: Understand that basic civil and human rights are extended equally to persons served within the Oregon I/DD system.
	   1. Understand that the people you support have the same civil and human rights as all citizens unless restricted through court action (such as guardianship).
	   2. Be aware that other circumstances may limit an person's rights such as ISP team decisions, civil court commitment, parole or probation, and Psychiatric Security Review Board (PSRB) decisions.
		Online course
		
		Reading: Oregon Administrative Rules related to Individual Rights, Complaints, Notification of Planned Action, and Contested Case Hearings for Developmental Disability Services

	Rights: Able to identify rights possessed by persons in service beyond basic human and civil rights, including but not limited to the choice of residence and place of employment, freedom of movement, and freedom of communication and association.
	   1. Understand and be able to explain rights people have, including the ability to choose/change case management, choose where to live, where to work, refuse services, refuse medications or treatments, choose health care and other professional service providers, confidentiality of personal information, and private communication (including personal mail and access to a telephone).
	   2. Understand and be able to explain that utilizing publicly funded services includes cooperating with certain monitoring requirements.
	   3. Understand the case management role in informing of rights and obtaining required documentation.
		Online course only

	Complaints and Being a Proponent: Understand the resources a person has when rights are violated, services are denied, or when a person is dissatisfied with the quality of services. This includes the policies and processes for complaints and appeals.
	   1. Understand and be able to explain the complaints and appeals processes of the Oregon I/DD system.
	   2. Awareness that provider organizations have their own complaint policies in place.
	   3. Understand the case management role to assist the person in addressing an issue as needed.
	   4. Understand and be able to explain the complaints and appeals processes of your organization.
		Online course
		
		Local training: Training on your organization's complaint policies.
		
		Oral demonstration: Demonstrate understanding of your organization's complaint policies.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
105. Person Centered Language **Online course #___**	Understand and use person centered language in all interactions. 1. Understand how to speak of the person first, then the disability only when necessary. 2. Understand how to emphasize abilities, not limitations. 3. Understand that defining a person by his/her disability can contribute toward incorrect perceptions and create additional barriers to overcome.	**Online course only**
106. Case Management and Provider Qualifications **Online course #___**	**Case Management Qualifications**: Understand the need to meet the qualification requirements for providing case management services, including acquiring necessary training as needed. 1. Understand the qualification requirements for providing case management services. 2. Understand the initial and ongoing training requirements for case management per Oregon Administrative Rule (OAR). 3. Understand the initial and ongoing training requirements for case management per your organization's policy.	**Online course** **Local training:** Learn your organization's expectations for initial and ongoing training. **Reading**: Oregon Administrative Rules: Community Developmental Disability Programs; Support Services For Adults With Intellectual Or Developmental Disabilities
	Qualified Providers: Be able to explain the types of service providers in Oregon and understand the qualifications required of each. 1. Understand and be able to explain various types of providers of service, including in-home services, employment and residential provider organizations, foster homes, personal support workers, independent contractors, general business providers, and others. 2. Understand that there are rules that govern providers of service. 3. Know where to locate the most current OARs and rule interpretation guidelines.	**Online course** **Reading**: DHS Criminal Records and Abuse Check Rules

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
107. **Introduction to Person Centered Practices** **Online course #___**	Understand the principles of person centered practices and how they are used by case management. 1. Understand the importance of using person centered practices to gather meaningful information about a person's needs, preferences, and goals. 2. Have a basic awareness of person centered thinking skills, including understanding the importance of digging deeper to learn more meaningful details about the person's preferences and support needs, problem solving, learning about relationships in the person's life, and ways of recording learning. 3. Have a basic awareness of person centered planning and how it can be used to identify what's happening in a person's life, the person's goals and dreams, as well as make long and short-term plans for the future. This may include exposure to processes such as Essential Lifestyle Planning (ELP), Discovery processes used in career development, PATH/MAPs, etc. 4. Understand the concept of identifying what is important to (dreams and personal preferences) and what is important for (health and safety needs) a person and the value of striving toward a balance between them. 5. Know how to gather detailed information from various perspectives including the person, guardian, family, paid providers, and others that the person identifies. Understand tools that can help gather detailed information and record various perspectives. 6. Able to recognize and look past barriers or constraints when listening to what is important to the person. 7. Understand that services and supports are flexible and responsive to a person's identified needs and preferences.	**Online course** **Reading:** Handout of various available person centered planning approaches

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
108. Seeking the Person's Perspective **Online course #___**	Understand case management's role to ensure the person's perspective is sought and know that it is critical in planning. 1. Learn how to identify needs, strengths, and interests using open ended questions. 2. Recognize dignity of the person and family first and foremost. 3. Recognize situations where it may be necessary to ask questions in different ways to get more information, even after someone has indicated a reluctance to share information. 4. Understand that case management is a "proponent:" one who does not serve as an advocate for the person, but rather as one who ensures the person's perspective is sought and used to direct planning.	**Online course only**
109. Conflict of Interest **Online course #___**	Able to recognize conflict of interest, explain it to others, and take action when necessary. 1. Understand the definition of conflict of interest provided by ODDS. 2. Able to explain the definition and examples of conflict of interest to others. 3. Understand the case management role in addressing conflict of interest with the ISP team when it is present.	**Online course only**
110. Reporting Serious Events **Online course #___**	Understand case management's role in completing or reviewing documentation for serious events, including incident reports, death notifications, and SERT reporting. 1. Able to identify serious events that trigger the need to complete additional documentation and follow-up. 2. Able to locate and complete the required documentation for identified serious events within expected timelines.	**Online course** **Local training:** Learn how to complete required forms. **Physical demonstration**: Demonstrate ability to successfully complete required forms.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
111. Oregon ISP Process (Part 1): Planning Overview and Natural Supports **Online course #___**	**Purpose of the ISP:** Understand the purpose of the Individual Support Planning (ISP) process. 1. Understand the purpose and importance of planning and how it relates to the person directing his/her own life. 2. Understand that the ISP is crafted following a person centered process. Information is gathered about what is important to the person (preferences and goals) and what is important for the person (support needs) and that information is used to drive all services that are provided under the plan. 3. Understand the importance of keeping the plan current throughout the year by making changes as directed by the person or the ISP team. 4. Understand a person's rights when it comes to his/her ISP, as well as the case management's role in ensuring a person has been informed of those rights in a way that can be understood.	**Online course only**
	Role of Identified ADL/IADL Needs in Planning: Understand how Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL) support needs are identified and how this directly informs planning. 1. Understand what ADL and IADL support needs are and how they are identified. 2. Understand how the person's preference, or what is important to the person, informs how ADL and IADL support needs are addressed. 3. Understand the case management role of addressing support needs and incorporating them into the ISP. 4. Understand the importance of considering ADL and IADL support needs necessary for the person to accomplish goals that are important to him/her.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	Natural Supports: Understand the definition and importance of natural supports, how they are considered when planning, and the role case management can play in promoting development of natural supports. 　1.　Understand that "Natural Supports" or "Natural Support System" is defined as the resources available to a person from the person's relatives, friends, significant others, neighbors, roommates, and the community. Services provided by natural supports are resources that are not paid for by the Department. 　2.　Understand the importance of natural supports and their role in improving the quality of a person's life. 　3.　Understand the importance of identifying and strengthening natural supports that are available to a person. 　4.　Understand tools and resources that can help expand a person's available natural supports (e.g. Relationship map).	**Online course only**
112. Oregon ISP Process (Part 2): ISP Team, Values, and Self Determination **Online course #___**	**ISP Team:** Understand the definition of an ISP team and the role the team plays in planning with the person and delivery of services. Understand the role that each member of the team plays within the ISP team. 　1.　Understand the makeup of the ISP team according to Oregon Administrative Rule (OAR). 　2.　Understand the role of the person receiving services and other members within the ISP team. 　3.　Understand the role of case management on the team, including as team facilitator and the authorizing authority for funded services.	**Online course** **Reading:** Oregon Administrative Rules related to Individual Support Planning

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	ISP Values & Self Determination: Understand the values that drive the Individual Support Planning (ISP) process. 1. Understand the concept of self-determination and be able to facilitate the ISP process to ensure the person is the leader of his/her plan. Demonstrate ability to identify and support a person's choice preferences. 2. Understand the concept of self-direction and how it relates to the person exercising self-determination in terms of directing his/her own services. 3. Understand the importance of supporting people to be productive through engaging in income-producing work or contributing to their household and community. Recognize how the Employment First policy influences planning. 4. Understand the importance of supporting people to be as independent as possible, considering cultural and family dynamics, the person's preferences, goals, strengths, and needs. 5. Understand the importance of supporting people to be actively involved members in their communities, while having access to the same services and resources as people without disabilities. 6. Understand the importance of active engagement to the community as a whole and the role of case management. Consider the benefits of active engagement, combating loneliness, developing a strong social network, and recognizing the person's own definition of active involvement.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
113. Choice Advising **Online course #___**	Understand the case management role in choice advising. 1. Understand the definition and importance of choice advising, including deciding who provides case management services. 2. Understand the importance of providing information about the array of options available to a person in a manner that is impartial, and as such that the person will not be compelled to elect services offered through any particular agency. 3. Understand case management's role in informing a person (and guardian/designated representative, if applicable) of available services, including but not limited to in-home supports, comprehensive service settings, family support, employment/pre-vocational supports, waiver supports, and state plan services. 4. Understand and able to fulfill case management's role in informing a person (and guardian/designated representative, if applicable) of the risks and appropriateness of service options chosen. 5. Understand and able to fulfill case management's role in choice advising for transition-age adolescents and families, including but not limited to employment options, rights and risks associated with decision making as an adult, state plan services, as well as guardianship/alternative, service setting, and case management options.	**Online course** **Reading:** DHS Policy Transmittals related to Choice Advising
114. CMS and Stewardship of Public Funds **Online course #___**	**CMS Funds**: Have a basic understanding of the system of delivering services funded by the Centers for Medicare & Medicaid Services (CMS). 1. Understand that Oregon Health Authority (OHA) is the designated Medicaid authority in Oregon and oversees waiver and state plan operations. 2. Understand ODDS' responsibility in assuring compliance to waiver and state plan operations. 3. Understand case management responsibility in delivery and oversight of waiver and state plan services. 4. Understand the purpose of the K Plan. 5. Understand the purpose of the Home and Community Based waivers. 6. Understand and be able to explain to people and family members the basic concepts of funding of I/DD services in Oregon.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	Stewardship: Understand resourceful stewardship of public funds, and how case management must ultimately answer to the taxpayer. 1. Understand the case management role in promoting resourceful stewardship of public funds. 2. Awareness of other public funded agencies, community organizations, family networks, and other generic programs that offer services to people with I/DD. 3. Understand the importance of strengthening a person's natural networks to reduce reliance on waiver or state plan funded services. 4. Understand that services cannot be paid for with waiver, K Plan or state plan funds when a different department or agency has responsibility to provide it. Waiver and state plan funds are the "last dollar" used. 5. Able to explain that being eligible for case management services does not automatically make someone eligible for other I/DD services. 6. Able to identify specific services which may be purchased with waiver or state plan funds when other agencies also have an involvement in providing services.	**Online course only**
115. Values and History **Online course #___**	**DHS Core Values**: Be familiar with the Core Values of Oregon Department of Human Services. 1. Know the DHS Core Values of Integrity, Stewardship, Responsibility, Respect and Professionalism.	**Online course** **Reading:** DHS Core Values

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	Values & History: Understand other values within the Oregon I/DD system. 1. Understand that state and federal regulations and programs for people with I/DD are based upon universal human rights and constitutional liberties granted to all. 2. Understand the principles of Self-Determination and the importance of seeking the person's choice in guiding the planning process. 3. Understand that the least restrictive environment is preferred for both children and adults. 4. Understand that systems exists to support people with behavior challenges (Oregon Intervention System (OIS) and Positive Behavior Intervention and Support) which values positive approaches and prohibits punitive actions in behavioral strategies. 5. Awareness of historic lawsuits and settlement agreements that have impacted services in Oregon, including the Staley agreement. 6. Awareness of the historical use and closure of institutions in Oregon.	**Online course only**
116. Confidentiality **Online course #___**	**Confidentiality**: Understand the case management responsibility to follow confidentiality standards and be able to cite specific examples of situations that are deemed confidentiality violations. 1. Demonstrate ability to prevent breaches in confidentiality. 2. Understand case management's role in maintaining strict confidentiality standards and complying with HIPAA requirements. 3. Demonstrate understanding confidentiality expectations through completing a scenario-based assessment. 3. Understand your organization's policies and participate in training on confidentiality and HIPAA.	**Online course** **Local training:** Learn your organization's confidentiality expectations; training on confidentiality offered by ODDS to foster providers. **Reading:** Oregon Administrative Rules related to Confidentiality; DHS Privacy Practices

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
117. Qualifying Encounters and Professional Documentation **Online course #___**	**Qualifying Encounters:** Understand requirements for documented, qualifying encounters for people receiving state plan or waiver services. Understand case management's role in delivering and documenting required qualifying encounters. 1. Understand what is meant by "qualifying encounters." 2. Understand the minimum contact requirements (qualifying encounters) for case management, in terms of content and timeliness. 3. Know that some contacts occur that are not considered qualifying encounters. 4. Understand the requirements for documenting qualifying encounters. 5. Be able to complete qualifying encounters accurately.	**Online course** **Local training:** Guidance on completing qualifying encounters. **Physical demonstration**: Demonstrate ability to complete qualifying encounters accurately. **Reading**: ODDS Technical Guide
	Professional Documentation: Be able to use basic professional writing skills in all documentation. 1. Understand professional documentation principles including accuracy, objectivity, brevity, and clarity. 2. Demonstrate use of person centered language when writing and ensure the person's voice is represented accurately and clearly. 6. Be able to effectively complete required written documentation per your organization's documentation practices.	**Online course** **Local training:** Organization's documentation practices. **Physical demonstration:** Demonstrate ability to effectively complete required written documentation.
	Record Keeping Systems: Know the specific forms and/or electronic record-keeping systems that are necessary to complete required documentation. 1. Be familiar with the DHS forms website. 7. Receive training and demonstrate competency in completing documentation according to your organization's policies and/or procedures. Know the key forms required for use by case management at your organization and how to locate guidance for completing and submitting them. Specific forms include 0337, Level of Care, and others needed for your specific job responsibilities.	**Online course** **Local training:** Training on completing required forms; organization's policies and/or procedures around documentation. **Physical demonstration:** Demonstrate ability to complete required forms and documentation.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
118. Oregon's Employment First Policy **Online course #___**	Understand the case management role in carrying out Oregon's Employment First policy. 1. Understand Oregon's Employment First policy, including the Executive Order and Employment First team at DHS, and that your role is to promote Employment First. 2. Understand the case management role in completing the Career Development Plan within the ISP. 3. Awareness of the Discovery process for someone on a path to employment. 4. Awareness that conversations about planning toward employment begin in childhood. 5. Awareness of other employment-related agencies (including VR) and the case management role in coordinating with them.	**Online course** **Reading:** Oregon's Employment First Policy
119. Eligibility **Online course #___**	Understand basic eligibility standards for services funded through the Office of Developmental Disability Services (ODDS). 1. Understand the relationship between eligibility determination and Level of Care. 2. Understand what case management needs to know about how someone is determined eligible. 3. Understand case management's role when someone is determined ineligible. Understand and be able to identify how eligibility is determined following your organization's process.	**Online course** **Local training:** Understand your organization's process for determining eligibility (including working with a local eligibility specialist, if applicable). **Oral demonstration:** Able to successfully identify how eligibility is determined following your organization's process.
120. Record Keeping *Local only*	Understand case management's role in adhering to the organization's record keeping requirements. 1. Understand the organization's record keeping requirements and know what you are expected to do to implement them.	**Local training:** Learn your organization's expectations for record keeping. **Physical demonstration:** Demonstrate understanding of your organization's record keeping requirements.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
121. Emergency Response *Local only*	Understand your organization's plans in place to mitigate risk and be able to respond as required in case of emergency. 2. Awareness of types of natural disasters that may occur in your area and how to connect people with appropriate resources to help them in an emergency. Understand your personal responsibility within your organization is if a disaster occurs, including understanding emergency procedures, where to report, and who to call. Awareness of OARs regarding emergency preparedness per service element. Awareness of specific emergency plans for service providers in your area. Awareness of emergency procedures and/or preparedness plans for each person served. Be able to ask "do you have a plan?" or "do you want a plan?" when needed.	**Local training:** Awareness of your organization's disaster and emergency preparedness plans and your role. **Oral demonstration:** Demonstrate understanding of your organization's plans. **Reading:** Oregon Administrative Rules regarding emergency preparedness
122. Abuse Reporting *Local only*	Demonstrate knowledge of and ability to follow the mandatory abuse reporting process. Understand the case management role in providing protective services and assisting with abuse investigations as directed by ODDS. 3. Able to identify examples of abuse, neglect, and exploitation. Able to explain the mandatory reporting requirements and process for reporting. Complete required training for case management produced by the Office of Adult Abuse Prevention and Investigation (OAAPI).	**Local training:** Complete training module and quiz published by OAAPI or follow your organization's expectations. **Reading:** Oregon Administrative Rules regarding abuse reporting
123. Level of Care *Local only*	Understand Level of Care (LOC), why it is completed, and the case management responsibilities related to it. 4. Able to describe significance of Level of Care (LOC), the relationship of LOC to accessing services, and its link to plan development. Understand expectations for who is responsible to complete LOC and when. Understand expectations to review LOC and responsibilities for assuring that a person's LOC remains accurate and current.	***Other training provided by DHS/ODDS*** **Local training:** Hands on training completing the Level of Care form. **Physical demonstration**: Able to successfully complete the Level of Care. **Reading**: Level of Care Assessment Technical Guide (available in the Resources tab of module 119)

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
124. Needs Assessment *Local only*	Able to objectively complete a Needs Assessment. 5. Understand that remaining objective is essential while completing an assessment that is specific to the eligible person's support needs. Able to complete a needs assessment that is specific to the person's support needs.	***Other training provided by DHS/ODDS*** **Physical demonstration:** Able to successfully complete a Needs Assessment.
125. Basic High Risk Issues *Local only*	Awareness of basic serious, high-risk issues that are commonly encountered in this field. 6. Awareness of the "fatal four" risks, including aspiration/choking, dehydration, constipation, and seizures.	***Other training provided by DHS/ODDS***

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
201. Introduction to Tier 2 **Online course #___**	Begin Tier 2 by launching this online module. When you finish all of the online and local requirements for Tier 2, return to this module to acknowledge that you have completed all of the training requirements of Tier 2.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)

202. Individual Support Planning: Services, Desired Outcomes, Risks, and Ancillary Supports
 	
Online course #___
	Services: Understand that a plan must include the types of services to be furnished, the amount, frequency and duration of each service, and the type of provider to furnish each service.
	   1. Understand that the plan must itemize specific services to be delivered, including frequency, timelines and the chosen provider.
	   2. Understand that the plan must identify the funding source for all supports provided, including Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL) supports.
	   3. Understand Oregon's ISP process.
	   4. A person's ISP must be revised at least annually. It is case management's role to ensure that planning happens in accordance with required timelines.
	   5. Understand how Level of Care and the needs assessment lead to the ISP.
	   6. Understand the case management role in ensuring that the ISP meets any requirements defined by the funding source(s). Example: K plan services provided must meet requirements as approved by CMS for Oregon's 1915 (k) plan.
	   7. Be able to complete an ISP according to the requirements of Oregon's ISP process.
		Online course
		
		Local training: Training on completing an ISP.
		
		Physical demonstration: Demonstrate ability to complete an ISP.

	Desired Outcomes: Understand and be able to fulfill the case management role in facilitating the development of meaningful and measurable outcomes within a person's Individual Support Plan (ISP).
	   1. Able to facilitate conversations that result in meaningful outcomes driven by the balance between what is important to and for a person.
	   2. Able to identify what is important to and for the person regarding independence, dignity and well-being so that plans can focus on the person getting the life he/she chooses.
	   3. Recognize the importance of thinking about long-term goals as well as short-term planning needs.
	   4. Understand the importance of including a plan for evaluating progress toward accomplishing the identified meaningful and measurable outcomes.
	   5. Awareness of person centered tools that can help identify goals, dreams, or things to work on (e.g. PATHs, MAPs, relationship maps, etc.).
	   6. Able to use information gathered while planning with the ISP team to write meaningful, measurable outcomes into the ISP.
		Online course
		
		Physical demonstration: Demonstrate ability to complete action plans with meaningful, measurable outcomes.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
(202 continued)	**Risks:** Understand the case management role of identifying risks and following through to ensure that appropriate supports are offered. 1. Understand the risk assessment tool used in Oregon's ISP and the case management role in completing it. 2. Understand the importance of having a plan and a back-up plan to address identified risks present in the person's life. 3. Be familiar with various types of support documents, including protocols, safety plans, behavior support plans, staff interaction guidelines, procedures, and more. 4. Understand the person's right to direct how risks are addressed. Ensure the person and families are offered information about risks and choices in an accessible and meaningful way. 5. Understand case management's requirement to meet reporting standards: identified individual risk and safety considerations are addressed taking into account the person's informed and expressed choices. 6. Know when to ask for help from your supervisor or from ODDS. Be able to complete the ISP showing identification of risks and plans in place to address risks.	**Online course** **Physical demonstration:** Able to complete ISP showing identification of risks and plans in place to address the risk.
	Ancillary Supports: Able to connect people to various ancillary supports that may be useful when planning and include in the ISP when necessary. 1. Awareness of common mental health issues and basic understanding of indicators that further evaluation may be needed. 2. Awareness of various identified ancillary services (below) and when they may be beneficial to people. 3. Able to connect people to ancillary services as needed. • Speech pathology, OT/PT, nursing services • Mental Health support services such as counseling, psychiatric services, substance abuse treatment and prevention, trauma-informed services • Positive Behavior Intervention and Supports and the role of a behavior specialist or behavior consultant • ODDS' Assistive Technology Discussion Tool and resource guide 7. Be able to discuss scenarios when ancillary supports may be effective.	**Online course** **Oral demonstration:** Discussion with colleague about scenarios when ancillary supports may be effective.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
203. Guardianships and Informed Consent **Online course #___**	**Guardianships:** Demonstrate an understanding of the key differences between various types of legal guardianships and their specific scopes of authority over a person's choice. 1. Have a basic understanding of guardianship proceedings and how a guardianship is assigned. 2. Understand the legal definition of "incapacitated person." ORS 125.060 through ORS 125.080. 3. Have a basic understanding of the key differences between various types of legal guardianships, their scopes and limitations of authority over a person's choice. 4. Have an awareness of what a health care representative is, when it can be helpful, how one can be appointed, and how to connect with the required training provided by DHS. 5. Have an awareness of what a representative payee is, when it can be helpful and how one can be appointed (Link to SSA). 6. Understand that conflicts sometimes arise between what the person wants and what the guardian directs. When this happens, it may be helpful to discuss the issue with your supervisor for guidance.	**Online course** **Reading:** Guardianship handbook from Disability Rights Oregon.
	Informed Consent: Understand what informed consent means and case management's role in obtaining it. 1. Understand the definition of informed consent as it pertains to ODDS. 2. Understand case management's role in obtaining and documenting informed consent from the person around matters of choosing services, planning, and other situations where informed consent is required. 3. Understand options available if a person is determined unable to give informed consent. 8. Able to help assess whether a person's ability to give informed consent needs to be adjudicated.	**Online course** **Oral demonstration:** Demonstrate ability to help assess whether a person's ability to give informed consent needs to be adjudicated.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
204. Balancing Risks and Choice **Online course #___**	Understand the importance of respecting a person's choice and offering alternatives to risky behavior. 1. Have a basic understanding of person centered approaches to risk (article provided). 2. Understand the importance of having a plan in place for checking in when a person is engaging in risky behavior. 3. Be able to explain options and offer to connect the person with alternatives to risky behavior. 4. Awareness of other agencies that offer services that the person may choose to access. Understand your core responsibilities in addressing risk and where case management may exercise judgment or creativity in providing options or recommending action.	**Online course** **Local training:** Conversation with supervisor about responsibilities to address risk. **Reading:** Thinking about Risk by Michael Smull
205. Monitoring, Follow up, and Ensuring Honesty **Online course #___**	**Monitoring:** Understand the case management responsibilities associated with monitoring, including routine monitoring tasks, frequency, documentation requirements, triggers for increased monitoring, and the importance of following up when action is necessary. 1. Understand the purpose of monitoring and the required tasks associated with it, including monitoring progress toward outcomes of ISPs and services being delivered. 2. Understand the required minimum monitoring frequencies. 3. Understand concept of "closing the loop" and the importance of following up to seek improvement and resolution of identified issues. 4. Understand tools that can be used to assist with monitoring. 5. Demonstrate ability to identify, communicate, document, and follow-up on issues found during monitoring. 6. Understand the responsibilities for monitoring of individual finances. 9. Understand expectations when monitoring and able to demonstrate monitoring with supervisor or colleague.	**Online course** **Local training:** Local conversation about expectations when monitoring. **Physical demonstration:** Participate in monitoring visits with supervisor or colleague and receive feedback.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	Following Up with Providers: Understand case management responsibilities when providers are not meeting expectations. 1. Understand the role of case management as it relates to licensing and regulatory oversight of providers. 2. Understand the role of case management in following up on provider licensing citations when required. 3. Be familiar with situations when observations must be reported to the Office of Licensing and Regulatory Oversight. 4. Understand the case management role in seeking improvement and resolution of identified areas of concern. 10. Be able to demonstrate understanding of how to respond when providers are not meeting expectations.	**Online course** **Local training:** Conversation with supervisor about situations where supervisor wishes to be notified. **Oral demonstration:** Demonstrate understanding of how to respond when providers are not meeting expectations.
	Ensuring Honesty and Integrity: Understand the responsibilities inherent in ensuring honesty and integrity from assessment through planning and delivery of services. 1. Understand what constitutes Medicaid fraud. 2. Understand the importance of honesty and integrity in all case management tasks. 3. Understand the case management role when fraud or unethical behavior is suspected or observed.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)

206. Transitions
 	
Online course #___
	Understand case management's role in facilitating various types of transitions.
	1. Understand the case management role in ensuring continuity of care when facilitating transitions.
	   • Transition point: Starting school. Specific issues to be aware of, typical timelines, etc.
	   • Transition point: Preparing for future employment. Know that planning toward employment begins in childhood. Additional planning continues around age 14. Discovery processes and gathering information about the person's abilities and choices.
	   • Transition point: Leaving school. Specific issues to be aware of, typical timelines, etc. Diploma, alternative diplomas or certificates, etc. Transitioning to work or life after school. Using information gathered through a discovery process to find a job.
	   • Transition point: Changing providers. Specific issues to be aware of, typical timelines, etc.
	   • Transition point: Moving between CDDP and Brokerage services. Specific issues to be aware of, typical timelines, etc.
	   • Transition point: Changing counties. Specific issues to be aware of, typical timelines, referral process, transition checklist, etc.
	   • Transition point: Retirement, leaving work. Specific issues to be aware of, typical timelines, how to plan, etc.
	11. Understand your organization's transition checklist or procedures, if applicable.
		Online course
		
		Local training: Training on your organization's transition checklist or procedures, if applicable.

207. Cultural Sensitivity **Online course #___**	Understand basic cultural sensitivity as it applies to the role of case management. 1. Awareness that case management will interact with a diverse population. 12. Know what training your organization provides in cultural competency and complete this.	**Online course** **Local training**: Your organization's cultural competency training. **Oral demonstration:** Conversation with supervisor or colleague about specific cultural considerations at your organization.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
208. eXPRS Plan of Care *Local only*	Knowledge of the case management role in eXPRS Plan of Care. 13. Understand the case management role in eXPRS Plan of Care. Understand your organization's procedure for inputting information into eXPRS Plan of Care.	**Local training:** Learn your organization's procedure for inputting information to eXPRS Plan of Care. Learn ODDS expectations for information inputted to eXPRS Plan of Care. **Physical demonstration:** Demonstrate understanding of procedures for inputting information into eXPRS Plan of Care.

2016 Core Competency Requirements for DSPs

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
101. Introduction to Tier 1 **Online course #___**	Begin Tier 1 by launching this online module. It will introduce you to the core competencies expectations. When you finish all of the online and local requirements for Tier 1, return to this module to acknowledge that you have completed all of the training requirements of Tier 1.	**Online course only**

102. Rights: Mandatory Abuse Reporting
 	
Local only
	Complete mandatory abuse training prior to providing any direct support supervision. Understand role as mandatory abuse reporter.
	   1. Able to explain the mandated reporting requirements and process, including suspected abuse, neglect, or exploitation.
	   2. Able to state examples of abuse, neglect, and exploitation.
	   3. Describe ways to protect a person's rights.
	   4. Describe actions to take when someone's rights are being violated. "When in doubt, report."
		Local training: Training resources available through the Office of Adult Abuse Prevention & Investigation (OAAPI).

103. Rights: Basic Civil and Human Rights
 	
Online course #___
	Basic rights: Identify basic civil and human rights that are held by all people regardless of ability.
	   1. Understand that all people in the United States have the same civil and human rights unless restricted (through court action such as guardianship).
	   2. Able to identify examples of basic human and civil rights such as right to be free from abuse, access to education, fair trial, right to vote, and other rights within our constitution.
		Online course only

	Additional rights: Identify rights of people who receive Intellectual/Developmental Disability (I/DD) services.
	   1. Understand that people who receive I/DD services have rights, beyond the basic civil and human rights, while receiving services. Examples include: choice of where to live; ability to refuse services; where person wants to work/type of employment services; confidentiality of personal information; protection from abuse and neglect; private communication (including personal mail and access to a telephone); and freedom from unauthorized restraints.
	   2. Understand the reason(s) behind the additional rights and that they are located in state statute.
		Online course only

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
104. Rights: Confidentiality Standards **Online course #___**	Understand the DSP's responsibility to follow confidentiality standards and be able to cite specific examples of situations that are deemed confidentiality violations. 1. Understand DSP responsibility to follow confidentiality standards. 2. Understand HIPAA (Health Insurance Portability and Accountability Act) requirements around confidentiality and be able to state examples of practices that meet HIPAA requirements regarding confidentiality of medical information. 3. Able to recognize examples of violations of confidentiality and ways to prevent the release of confidential information.	**Online course** **Local training**: Training on organization confidentiality policy and procedures. **Oral demonstration**: Demonstrate ability to follow organization's confidentiality procedures.
105. Rights: Complaints **Online course #___**	Understand the complaint procedure and its uses for people you support. 1. Know the reason the complaint policy and procedure is in place. 2. Understand how and when to support a person to file a complaint. 3. Know your organization's policy and procedures in place for assisting a person to file a complaint.	**Online course** **Local training:** Training on understanding the complaint policy and procedure of your organization. **Oral demonstration:** Demonstrate ability to follow the complaint policy and procedure of your organization.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
106. Value: Dignity, Respect, and Person Centered Language **Online course #___**	**Dignity and respect:** Demonstrate dignity and respect to all people you support. 1. Able to address people by name and talk to the person (rather than about them). 2. Identify how your own moods, attitudes, and actions impact people you support. 3. Understanding of the use of eye contact when communicating with someone. 4. Understanding the importance of treating and speaking with people you support as an equal. Patronizing is unacceptable. 5. Use eye contact as appropriate for the person and the situation when communicating with someone. 6. Demonstrate treating and speaking with someone you support as an equal. (Patronizing or talking down to a person is unacceptable.) 7. Demonstrate listening and responding with empathy. 8. While providing direct support, demonstrate treating the person with respect regardless of any disability he/she may have.	**Online course** **Physical demonstration:** Demonstrate ability to interact with people with dignity and respect while listening and responding with empathy.
	Person centered language: Use person centered language in all interactions. 1. Understand the importance of encouraging person you support to speak for him/herself. 2. Understand how to speak of the person first then, if necessary, the person's disability. 3. Understand the importance to not label people as part of a disability group, and emphasize abilities, not limitations, of any person. 4. Able to speak of the person first then, only if necessary, the person's disability. 5. Able to not label people as part of a disability group. 6. Emphasize abilities, not limitations, of any person.	**Online course** **Oral demonstration:** Demonstrate ability to use person centered language in all interactions.
107. Health: Medical Information *Local only*	Be aware of basic medical information for each person you support. 1. Know the location of medical information for the people you support. 2. Familiarize yourself with basic medical information for each person you support, including information about allergies, diagnoses, treatments, and medications.	**Local training:** Training on how to locate medical information for people you support. **Oral demonstration:** Demonstrate ability to locate medical information for people you support.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
108. Health: Understanding Common, Serious Health Risks **Online course #___**	Demonstrate understanding of common, serious health risks. 1. Be familiar with common, serious high-risk issues that are commonly encountered in this field. (This will include, at a minimum, aspiration/choking, constipation, dehydration, seizures, diabetes, and pica.) 2. Understand what to do to prevent common, serious high-risk issues. 3. Understand how to respond when a common, serious high-risk issue occurs.	**Online course only**
109. Health: Adaptive Equipment **Online course #___**	Demonstrate awareness of and understand how to use and maintain any adaptive equipment used by each person you support. 1. Understand what adaptive equipment is and benefits for people. 2. Understand the importance of the use and maintenance of adaptive equipment. 3. Shown examples of various types of adaptive equipment. 4. Give examples of various types of adaptive equipment found in the setting you work such as DynaVox or other speech generating devices, Hoyer Lift (swing lift), iPad, wheelchair, hearing aids, and more. 5. Understand what adaptive equipment is and how it may benefit a person. 6. Understand what adaptive equipment is present for any person you support, how to use and maintain it, and how to get it fixed when necessary. Understand that the use and maintenance is done respectfully.	**Online course** **Local training**: Training on responsibilities related to any adaptive equipment present for each person you support. **Physical demonstration**: Demonstrate understanding of responsibilities related to any adaptive equipment present for each person you support.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
110. Health: Required Infection Control Techniques **Online course #___**	Recognize the risks associated with contact with blood and other bodily fluids, and be able to use required infection control techniques. 1. Identify situations where blood borne pathogen (BBP) procedures must be used. 2. Explain how to report and address exposure incidents. 3. Understand proper techniques and procedures when dealing with blood or other bodily fluids. 4. Understand proper glove use and hand washing techniques, while properly disposing of contaminated materials. 5. Demonstrate proper techniques and procedures when dealing with blood or other bodily fluids. 6. Demonstrate proper glove use and hand washing techniques. 7. Know how to properly dispose of contaminated materials, including gloves. 8. Know location of BBP kits at each location. Know what equipment is included and how the kit is maintained.	**Online course** **Local training:** Training on blood borne pathogens, including locating and properly using specific BBP equipment present in the workplace. **Physical demonstration:** Demonstrate ability to locate and properly use specific BBP equipment present in the workplace. **Optional reading:** Oregon OSHA materials, available for download in the Resources tab in DSP module 110
111. Health: Medication Administration and Documentation **Online course #___**	Demonstrate accurate medication administration and documentation. 1. Able to administer and document medication administration as per organization's policy and procedure. 2. Complete required documentation accurately.	**Online course** **Local training:** Hands-on practice administering medication properly and documenting. **Physical demonstration:** Demonstrate ability to appropriately and accurately administer medications and document.
112. Safety: First Aid and CPR *Local only*	Able to obtain First Aid and CPR certification. 1. Be certified by a Qualified Instructor. 2. Identify emergency situations that would require the use of information learned in a First Aid and CPR class.	**Local training:** First Aid/CPR Training opportunity provided. **Physical demonstration:** Successfully complete First Aid/CPR instruction from a qualified instructor.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
113. Safety: Methods of Support and Non-physical Intervention **Online course #___**	Identify methods of support and non-physical intervention to use with all the people you support. 1. Identify proactive measures and responsibility to implement/follow. 2. Understand that you must always follow any procedures & protocols present for a specific person. 3. Identify the environmental factors that affect a person's behavior and know different methods to provide support without any physical intervention. 4. Demonstrate use of appropriate body language, tone of voice, listening skills, redirection, etc. to maintain safety. 5. Able to correctly identify situation as potentially harmful. 6. Seek assistance from others, if needed.	**Online course only**
114. Safety: Safe Body Mechanics *Local only*	Demonstrate ability to use recognized safe body mechanics throughout the workday. 1. Know that any lifting requires proper lifting techniques and know the proper lifting technique for situations within your job. 2. Use proper body mechanics while lifting. Know when and how to use assistive lifting devices. 3. Able to demonstrate using appropriate body mechanics in a variety of situations such as with people, devices, objects, and moving around/sitting in chair. 4. When applicable, complete training on assistive lifting devices prior to use.	**Local training**: Training on safe body mechanics while lifting along with any specific assistive lifting devices within job duties. **Reading:** Safe Body Mechanics (tip sheet), available for download in the Resources tab in DSP module 101.
115. Safety: Safely Handling, Preparing, and Storing Food **Online course #___**	Demonstrate ability to use safe procedures when handling, preparing, and storing food. 1. Use appropriate food handling procedures (for example: clean area, clean utensils, avoids cross contamination of meats and other foods). 2. Demonstrate ability to prepare food safely (hot foods hot, cold foods cold, wash hand often, etc.). 3. Use appropriate food storage techniques (for example: clean containers, label and date contents). 4. Appropriately sanitize surfaces and utensils after use. 5. Know when and how to dispose of food (when is food spoiled or bad; when to dispose of particular food based on food handling standards).	**Online course** **Recommended reading:** Oregon Health Authority, Public Health: Food Safety Tips for the Public, link available in Resources tab of online module.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)

116. Safety: Safety Equipment
 	
Local only
	Locate and understand use of safety equipment present in the work environment.
	   1. Locate first aid kit(s), fire extinguisher(s), and other emergency equipment, if any. Additional items may include:
	       • OSHA cleanup kits
	       • The number of fire extinguishers and locations in the home, worksite, and/or program vehicle(s)
	       • Emergency telephone number list
	       • Program's written preparedness plan
	       • Fire safety evacuation plans
	       • Assistive devices used for evacuation (if applicable per any person's needs)
	   2. Understand how to use emergency equipment present in the workplace.
	   3. Identify personal protective equipment and its use requirements.
		Local training: Physical tour of site and demonstration of proper equipment use.
		
		Physical demonstration: Physical demonstration of identifying and properly using safety equipment and personal protective equipment present in the workplace.

117. Safety: Safe Equipment Operation
 	
Local only
	Demonstrate ability to safely operate any equipment or machinery expected to be used to perform job duties.
	   1. Know which types of equipment or machinery are expected to be used to perform job duties.
	   2. Receive training on how to safely use all equipment expected to be used to perform job duties.
	   3. Demonstrate ability to safely operate all equipment expected to be used to perform job duties.
		Local training: Training on equipment or machinery present in the workplace.
		
		Physical demonstration: Demonstrate ability to safely operate equipment or machinery in the workplace.

118. Safety: Environmental Modifications For Safety
 	
Online course #___
	Identify specific environmental modifications in place for safety.
	   1. Identify areas and/or situations that could jeopardize a person's safety.
	   2. Understand how to notify the appropriate person responsible to assist with a particular safety or environmental concern.
	   3. Properly store equipment and objects.
	   4. Identify safe handling and storage techniques for chemicals, cleaners, and sharps (etc.) and the storage requirements for those chemicals, cleaners, sharps and other items identified.
	   5. Demonstrate understanding of the reason for responsibility of maintaining an environment free of hazards.
	   6. Give examples of what to do when finding an unsafe environment.
		Online course
		
		Local training: Training on specific environmental modifications in place for safety.
		
		Oral demonstration: Demonstrate knowledge of specific environmental modifications in place for safety.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
119. Safety: Responding to Emergency Situations **Online course #___**	Demonstrate ability to properly respond to emergency situations. 1. Know who to call when emergency occurs for both a person and workplace/facility (the appropriate people or organization/agency). 2. Identify various scenarios about when to shelter in place or evacuate. Examples include fire, explosion, car accident, or other emergency, including evacuation of people. 3. Identify what constitutes an emergency for each person you support and know how to follow established procedures. 4. Locate emergency exits and safe/staging area. 5. Locate and know where the emergency preparedness notification information is located, and know how to use it in case of emergency.	**Online course** **Local training:** Training on specific emergency situations for each person you support; local emergency plans; and emergency preparedness plans. **Physical demonstration:** Demonstrate understanding of specific emergency situations for each person you support; local emergency plans; and emergency preparedness plans.
120. Planning: Basic Components of an ISP **Online course #___**	Describe the purpose and basic components of an Individual Support Plan (ISP) and be familiar with the role of the ISP team. 1. Able to identify the basic components of an ISP and how they apply to supporting the person. This includes the interests and support needs of a person and strategies to support a person to achieve his/her goals. 2. Understand the role of the ISP team. 3. Understand the importance of including the person in decisions about his/her life, ISP, and supports. 4. Understand your role in implementing the ISP and documenting action taken as required. This includes the skill of recognizing when something is not working or needs to be discussed with your supervisor or someone else.	**Online course only**
121. Planning: Become Familiar with each ISP *Local only*	Be familiar with the ISP for each person you support. 1. Familiarize yourself with the ISP in place for each person you support.	**Local training:** Basic awareness of the contents of the ISP for each person you support. **Oral demonstration:** Demonstrate basic awareness of the contents of the ISP for each person you support.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
122. Planning: Support Documents *Local only*	Demonstrate understanding of responsibility to follow all support documents in place for each person. 1. Be able to identify and follow all support documents currently in place for each person you support. 2. Understand the basic contents of any support document, including preventative measures, signs and symptoms of a problem occurring, and steps to take when a problem is observed. 3. Know how and where to document information and/or changes related to any support document. 4. Understand that some common support documents may address health or medical risks, dietary support needs, financial supports, safety considerations, behavior or other support needs.	**Local training:** Training on specific support documents in place for each person you support. **Physical demonstration:** Demonstrate ability to follow support documents in place for each person you support.
123. Planning: Guardianship and Health Care Representatives **Online course #___**	**Guardians**: Identify who has a legal guardian and the scope of the guardianship in the person's life. 1. Understand your role for interactions and communication with guardian(s) based on organization policies and/or procedures. 2. For each person you support, know who has an appointed guardian, who the guardian is, and the scope of the guardianship.	**Online course** **Local training:** Training on specific guardianship (if any) appointments in place for each person you support and DSP responsibilities for interacting with guardian(s). **Oral demonstration:** Demonstrate understanding of specific guardianship (if any) appointments in place for each person you support and DSP responsibilities for interacting with guardians.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
	Health Care Representatives: Understand who has a health care representative and the scope of the appointment. 1. Have a basic understanding of what a health care representative is. 2. Understand your responsibilities for interacting with any identified health care representatives. 3. Demonstrate understanding of your responsibilities for interacting with any identified health care representatives. 4. Know who has a health care representative, the reason for this appointment (if ISP team appointed), and how it affects decision making with the person.	**Online course** **Local training:** Identify specific health care representative (if any) appointments in place for each person. **Oral demonstration:** Demonstrate understanding of the purpose the health care representative (if any) plays in the life of each person you support and a general understanding of a health care representative.
124. Planning: Court Restrictions *Local only*	Identify any court restrictions in place for each person you support, not including guardianship, and know the extent of the restrictions. 1. Know any court-mandated conditions or restrictions that may affect a person you support. 2. Know your role for interactions and communication based on organization policy/procedures in regards to these conditions or restrictions.	**Local training:** Training on your role relating to any court-mandated conditions or restrictions involving anyone you support. **Oral demonstration:** Demonstrate understanding of your role relating to any court-mandated conditions or restrictions involving anyone you support.
125. Organizational Mission and Policies: Mission and Values *Local only*	Locate the mission and values statement of the organization. 1. Know that the organization has a mission/mission statement. 2. Able to locate the organization's mission and values statements.	**Local training:** Training on how to locate the organization's mission and values statements. **Physical demonstration:** Able to locate the organization's mission and values statements.
126. Organizational Mission and Policies: Policies and Procedures *Local only*	Locate organization policies and procedures. 1. Know the policies and procedures that directly relate to people with intellectual/developmental disabilities (I/DD) who receive services and supports. 2. Able to identify the policies and procedures that are related to other competencies such as rights, complaints, etc. 3. Identify situations when you would need to refer to these policies.	**Local training:** Training to locate organization policies and procedures. **Physical demonstration:** Demonstrate ability to locate organization policies and procedures.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
127. Organizational Mission and Policies: Incident Report Requirements **Online course #___**	Identify when an incident report is required and timelines for completion. 1. Understand how to respond to incidents and document information in the method required by the organization. 2. Understand how to identify situations that require an incident report. 3. Know the reporting requirements for different types of incidents and who to notify (and by when). 4. Document incidents according to organizational policies and procedures.	**Online course** **Local training:** Practice completing required incident report documentation and notifying others as needed.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
201. Introduction to Tier 2 **Online course #___**	Begin Tier 2 by launching this online module. When you finish all of the online and local requirements for Tier 2, return to this module to acknowledge that you have completed all of the training requirements of Tier 2.	**Online course only**
202. Rights: Preventing Abuse, Neglect, and Exploitation **Online course #___**	Identify ways to prevent abuse, neglect, and exploitation of people you support. 1. Identify strategies to prevent exploitation in regards to the people you support. 2. Identify strategies to prevent abuse and neglect in regards to the people you support. 3. Know the difference between putting a person at risk and the person putting him/herself at risk; and the ways to prevent abuse, neglect, and/or exploitation in those cases. 4. Examples of strategies presented include: • Paying attention to what co-workers are doing. • Immediately reporting inappropriate actions to supervisor before it reaches abuse. • Not overworking/not accepting too much overtime (knowing own limitations/burn out can cause abuse). • Making sure the environment is safe. • Understanding the person and his/her plans/support documents as well as how the day has gone; and the communication with other staff and at shift changes. • Reviewing and updating your own stress-management plan regularly.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)

203. Rights: Legal Guardianships
 	
Online course #___
	Understanding the key differences between various types of legal guardianships and their specific scopes of authority over a person's choice.
	1. Know that someone either has a guardian or he/she does not have a guardian; "own guardian" is a misnomer.
	2. Know that there are a variety of types of guardianship appointments.
	3. Know that specific decisions guardians can and cannot make depend on the type of their guardianship appointment.
	4. Curriculum includes details such as:
	• If a person has full guardianship over a person, s/he…
	  – provides consent on behalf of the person;
	  – assures the person receives appropriate medical care;
	  – assures the person resides in least restrictive setting; and
	  – provides for care, treatment, support, etc. as designated.
	• A medical guardian is only to make medical decisions for the person, not financial decisions.
		Online course only

204. Values: Supporting Personal Preferences *Local only*	Demonstrate knowledge of personal preferences of each person you support. 1. Know where to locate information about a person's preferences. 2. Know how to effectively communicate with people you support in order to get to know them.	**Local training:** Learn where to locate information about each person's preferences. Time spent with each of the people you support is the best way to get to know them. **Oral demonstration:** Demonstrate knowledge of personal preferences of people you support.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
205. Values: Self-Determination and Personal Responsibilities / Supporting People to Make Choices **Online course #___**	**Self-Determination:** Understand the importance of self-determination and personal responsibility. 1. Understand that self-determination is about making one's own choices, learning to effectively solve problems, as well as taking control and responsibility for one's own life. It is about being in charge, but it is not necessarily the same thing as self-sufficiency or independence. 2. Understand self-direction in relation to self-determination. 3. Know that practicing self-determination also means one experiences the consequences of making choices. 4. Understand the importance of supporting people to make decisions about their life; to have opportunities for choices in daily activities; and to assure personal values do not influence the people you support. 5. Recognize the importance of supporting people to make decisions about their own lives, and the responsibilities accompanying those decisions. 6. Recognize the importance of supporting people to have opportunities for choice in daily activities such as meals, clothes, buying things, and other activities. 7. Recognize how your personal values can influence another person's choice, and describe ways to understand another person's values that differ from your own. 8. Your role in recognizing and supporting a person's self-determination and self-direction.	**Online course** **Oral demonstration:** Discussion about the importance of supporting people to make decisions about their own lives.
	Making choices: Demonstrate skills that increase a person's ability and opportunities to make choices. 1. Understand what it means to offer choices. 2. Understand that in order for people to make a meaningful choice, they must be presented with meaningful options. For example, "do you want a ham sandwich or a chicken sandwich?" are not meaningful options to a person who is a vegetarian. 3. Understand the importance of taking into account a person's communication style while presenting choices or offering options. 4. Understand the importance of balancing what is important to and for the person when talking to the person about possible consequences, so he/she can make an informed choice. Understand that someone may need additional time to make an informed choice. 5. Demonstrate offering meaningful choices to people. 6. Demonstrate the ability to offer choices taking into account a person's communication style. 7. Demonstrate the ability to balance what is important to and for the person.	**Online course** **Oral demonstration:** Discussion about ways of offering choices specific to people you support in a method that works for that person.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
206. Values: Supporting People to Increase Independence **Online course #___**	Understand the importance of and demonstrate skills that support people toward increasing independence. 1. Understand the concept and importance of independence. Curriculum to include concepts such as: • The increase in quality of life that occurs when a person is more independent, and • DSP support begins only at the point where the person needs it. 2. Understand that the level of independence or dependence does not indicate a person's value or worth. 3. Understand person centered skills to assist people to be as independent as possible. 4. Know how to use person centered skills to assist people to be as independent as possible. 5. Identify specific goals within the ISPs for the people you support that promote their independence. 6. Demonstrate the ability to support increasing a person's independence in any area of his/her life.	**Online course** **Local training:** Training on specific support needs towards increasing a person's independence based on his/her preferences, skills, and abilities. **Physical demonstration:** Demonstrate ability to support people to be independent according to support strategies identified within the ISP and the person's preferences.
207. Values: Supporting People to be Productive Citizens **Online course #___**	Understand the importance of supporting people to be productive citizens and demonstrate skills that can increase a person's productivity. 1. Understand the value of people being productive, contributing members of their community, and recognize that a person's disability does not define his/her ability to be productive. 2. Understand Oregon's Employment First policy. Know that Oregon is an Employment First state and that employment is the first option discussed and offered. 3. Understand how person centered skills can help discover what a person wants to do by asking thoughtful questions and making careful observation. 4. Know how a career development plan is addressed for each person you support and understand your role in supporting its implementation. 5. Identify specific goals within the ISPs for the people you support that promote productivity. 6. Demonstrate skills that encourage people to be involved in work, their household, and community activities. 7. Demonstrate person centered skills that can help discover what a person wants to do by asking thoughtful questions and making careful observations.	**Online course** **Local training:** Training on specific support needs and ISP goals that promotes productivity for each person you support. **Physical demonstration:** Demonstrate ability to support people to be productive according to support strategies identified within the ISP and the person's preferences.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
208. Values: Supporting People to be Active Members of their Communities **Online course #___**	Understand the importance of and demonstrate skills to support people to be active members of their communities. 1. Understand the importance of integration. Curriculum to include concepts such as: • The differences between "integration" and "inclusion" • Community resources are for everyone. • Community activities occur around a person's interests. • People have adequate transportation and accessibility to community resources. • Employment options are vast, depending on skills, strengths, and interest and not dependent on a person's disability. • The importance of building relationships and natural networks of support • The increase in quality of life that occurs when integration is present • Regular contact with other people in their community/town/city is typical. 2. Know how to use person centered skills to assist people to be as integrated as possible. This may include being aware of what is important to and for the person, being able to record learning in a thoughtful way, and being able to offer meaningful options. 3. Identify specific goals within a person's ISP that promote integration and demonstrate understanding of your role in implementing them. 4. Demonstrate ability to support people in a variety of preferred and typical activities. 5. Demonstrate ability to support people to succeed in their jobs. Residential staff assists people to be successful in their job as well as employment staff.	**Online course** **Local training**: Training about specific support needs and ISP goals for each person you support to be active members of their communities. **Physical demonstration:** Demonstrate ability to support people to be active members of their community according to support strategies identified within the ISP and the person's preferences.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
209. Values: Effective Communication Skills and Strategies **Online course #___**	Demonstrate effective communication skills and strategies. 1. Recognize the difference between expressive and receptive language. 2. Understand the importance of using eye contact the person's name. 3. Understand the communication that is unspoken. 4. Know techniques to be effective with active listening skills including paraphrasing. 5. Identify and use effective communication styles and techniques when supporting people. Identify how each person you support communicates, as well as the person's strengths and needs around communication. 6. Use techniques to be effective with active listening skills. 7. Use appropriate eye contact and the person's name. 8. Demonstrate skills that allow adequate time for a person to respond. 9. Demonstrate sensitivity to communication that is not spoken. 10. Know the assistive communication devices used by any person you support. 11. Practice and contribute to effective team communications, by providing suggestions and/or recommendations on how to help someone communicate more effectively, knowing structured activities that promote a person's involvement and communication, recognizing and responding to various forms of communication (spoken and unspoken), and responding to a person in a way he/she understands.	**Online course** **Local training:** Training about specific communication support needs and strategies for each person you support, and general communication techniques. **Oral demonstration:** Demonstrate ability to effectively communicate with all people you support and your co-workers.
210. Values: Introduction to Employment Services in Oregon **Online course #___**	Have a basic understanding of employment services in Oregon. 1. Recognize that all people, regardless of ability, can work if they choose to. In Oregon, we believe all people with I/DD can achieve integrated employment. 2. Understand your role in helping people find and keep a job based on their abilities and choices. 3. Have a basic awareness of terms related to employment services (e.g. Employment Services, employment specialist, Discovery, career development plan, Employment First policy, etc.). 4. Understand how you can support people to get or keep a job. This includes seeking to understand a person's abilities and choices and being an active contributor to planning by sharing information you observe.	**Online course only**

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
211. Health: MARs and Medication Side Effects **Online course #___**	Describe the intent of each medication or treatment listed on a person's Medication Administration Record (MAR) and locate information about possible side effects. 1. Know the connection between a physician's order and the Medication Administration Record (MAR). 2. Know the physician's order generates the information for the MAR. 3. Understand why awareness of potential side effects is important. 4. Identify purpose of each medication/diagnosis associated with medication. 5. Demonstrate ability to look up medication side effects.	**Online course** **Local training**: Practice looking up medication side effects. **Physical demonstration**: Demonstrate ability to locate potential side effects for medications.
212. Health: Responding to Non-Emergency Changes in Health **Online course #___**	Understand how to identify and respond to non-emergency changes in health. 1. Recognize how to implement appropriate action when responding to a non-emergency change in health. 2. Know when to record non-emergency changes in health, such as changes in activity level, skin color, communication, etc. 3. Communicate potential health concerns to others (e.g. other service providers) as needed and appropriate. 4. Once observed, report changes in health to appropriate people.	**Online course** **Local training:** Training on how to respond to general non-emergency health issues. **Oral demonstration:** Demonstrate ability to respond to general non-emergency health issues.
213. Safety: Responding to Person-to-Person or Person-to-Property Incidents **Online course #___**	Understand how to respond to person-to-person or person-to-property incidents by acting to protect the person and others from harm. 1. Be able to respond appropriately when presented with an emergency situation. 2. Understand notification requirements. 3. Identify supports necessary for each person as outlined in specific support documents. 4. Properly identify documentation requirements.	**Online course** **Local training:** Training on supports necessary for each person as outlined in specific support documents. **Oral demonstration:** Demonstrate understanding of supports necessary for each person as outlined in specific support documents.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
214. Planning: Supporting Relationships and Other Actions Directed by a Person's ISP **Online course #___**	**Relationships:** Understand any supports in place for each person you support to build and maintain important relationships in his/her life. 1. Understanding of a relationship map in identifying people within a person's life. 2. Understand the importance of relationships in a person's life. 3. Know who is involved in the lives of people you support and to what capacity. Tools like a relationship map can be helpful in identifying these people. 4. Know when family is involved in the person's life and the role you play in supporting those relationships. 5. Know any specific steps in the ISP or support documents of people you support intended to support relationships.	**Online course** **Reading:** Importance of Belonging by David Pitonyak **Local training:** Training on specific strategies in place to support building and maintaining positive relationships in the lives of each person you support. **Oral demonstration:** Demonstrate ability to follow specific strategies in place to support building and maintaining positive relationships in the lives of each person you support.
	Goals: Understand how to follow the identified supports and personal goals included in the ISP for each person you support. 1. Understand why it is important to follow identified supports and personal goals for each person you support. 2. Understand the importance of communicating possible changes to a person's plan. 3. Understand how to follow the identified supports and personal goals included in the ISP for each person you support. 4. Understand who to talk to if changes are needed to the person's plan.	**Online course** **Local training:** Training on how to implement the specific support needs and personal goals described within each person's ISP. **Physical demonstration:** Demonstrate ability to implement the specific support needs and personal goals described within each person's ISP, including proper documentation.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
215. Planning: Basic Principles of Person Centered Practices and Planning **Online course #___**	Identify basic principles of person centered practices and planning with people. 1. Know that person centered practices use skills to discover and problem-solve with a person, while person-centered planning uses those skills to develop a plan with action to help guide a person's life in the method he/she wants. 2. Know a person is directly involved in the planning process to the fullest extent possible. 3. Able to solicit a person's voice (using his/her preferred method of communication) for input into any situation about his/her life. 4. Know that services and supports are organized around a person's unique needs, preferences, and goals. 5. Know that services and supports are flexible and responsive to a person's needs, preferences, and goals. 6. Know how to listen to a person and truly hear what is being communicated (in words and/ or actions). 7. Understand the concept of identifying what is important to someone, what is important for someone, and the importance of seeking balance between these points. 8. Identify situations in which something that is important for a person must be addressed, without losing sight of what is important to him/her. 9. Understand the skill of asking what is working and what is not working to help the ISP team take action. 10. Be familiar with the concept of "nothing about me, without me." Understand that a person, regardless of ability or perceived capacity, is included in decision making about his/her life.	**Online course only**
216. Organization Mission and Policies: Supporting the Mission and Values of the Organization *Local only*	Describe the mission and value statement of the organization. Identify how your day-to-day work supports the organization's mission and values. 1. Can either state or paraphrase the mission and values statement of the organization. 2. Identify how your day-to-day work supports the organization's mission and values.	**Local training:** Training about the organization's mission statement and values; and how the day-to-day work of the DSP supports these statements. **Oral demonstration:** Able to describe the organization's mission statement and values; and how the day-to-day work of the DSP supports them.

Module	Competency Statement & Learning Objectives	Instructional & Assessment Expectation(s)
217. **Organizational Mission and Policies: Your Organization's Documentation Standards** **Online course #___**	Demonstrate ability to consistently follow your organization's documentation standards. 1. Understand basic documentation skills, including writing the person's name; writing the complete date; keeping confidentiality (of others people, too); and completing documentation to be legible, clear, specific to the situation, objective, and fact based. 2. Able to complete documentation according to organization's policies and procedures, including timeliness and format.	**Online course** **Local training**: Training on local organization documentation practices and procedures. **Physical demonstration:** Able to successfully follow organization's documentation practices and procedures.
218. **Organizational Mission and Policies: Intent of Oregon Administrative Rules (OARs)** *Local only*	Understand the intent of applicable Oregon Administrative Rules (OARs) and how to access them. 1. Understand how to access OARs related to the service providing. 2. Understand the intent of applicable OARs. 3. Understand the connection between OARs and organizations policies and procedures.	**Local training:** Training on how to access OARs and the intent of applicable OARs within the organizations' policies and procedures. **Oral demonstration:** Demonstrate ability to locate applicable OARs and their intent. **Reading:** Applicable OARs based on the specific services and supports provided

Appendix D

2015 Developmental Disability Programs: Abuse Allegations by Service Recieved
(Adult Foster Care, Brokerage, Group Home and Supported Living)

HB2442 Reporting Requirements: Section 4 (1) (a) (E) Complaints of abuse filed:

2015 Allegations Closed		AbuseType								
Service Type	Results	Abandonment	Financial	Neglect	Physical Abuse	Restraint	Restriction	Sexual Abuse	Verbal Abuse	Total Allegations
Adult Foster Care DD	Inconclusive	0	1	8	8	0	0	1	6	24
	Not Substantiated	0	1	24	11	2	4	6	13	61
	Substantiated	1	3	52	3	4	4	2	14	83
Adult Foster Care DD Total		1	5	84	22	6	8	9	33	168
Brokerage	Inconclusive	0	12	2	21		1	9	25	70
	Not Substantiated	0	20	18	20	6	3	7	24	98
	Substantiated	0	21	17	25	2	4	3	22	94
Brokerage Total		0	53	37	66	8	8	19	71	262
Group Home	Inconclusive	0	17	44	19	9	4	3	25	121
	Not Substantiated	0	24	113	47	15	12	10	64	285
	Substantiated	0	44	197	12	15	7	2	53	330
Group Home Total		0	85	354	78	39	23	15	142	736
Supported Living	Inconclusive	0	1	0	1	0	0	3	3	8
	Not Substantiated	0	3	3	2	1	1	0	4	14
	Substantiated	0	14	7	5	0	0	1	4	31
Supported Living Total		0	18	10	8	1	1	4	11	53
Other	Inconclusive	0	1	9	7	1	2	3	8	31
	Not Substantiated	0	12	25	17	2	1	9	25	91
	Substantiated	0	21	44	24	13	15	12	35	164
Other Total		0	34	78	48	16	18	24	68	286
		Abandonment	Financial	Neglect	Physical Abuse	Restraint	Restriction	Sexual Abuse	Verbal Abuse	Total Allegations
Total Allegations:		1	195	563	222	70	58	71	325	1505
Total Substaniated:		1	103	317	69	34	30	20	128	702
Substantiation Rate:		100.0%	52.8%	56.3%	31.1%	48.6%	51.7%	28.2%	39.4%	46.6%

2015 Developmental Disability Programs: Abuse Allegations by Service Recieved

Results - Substantiated Service Type	Allegations	Named Perpetrator (Unduplicated Count)	Named Perpetrator (Duplicated Count)	Referred to LEA
Brokerage	94	8	10	56
DD Adult Foster Care	83	46	82	12
Group Home	330	200	289	45
Supported Living	31	10	18	15
Vocational	36	23	29	2
Other	128	3	3	60
Grand Total	702	290	431	190

Section 4 (1) (a) (G) Serious Injuries, Sexual Assualt/Rape and Deaths

The data below reflect the number of Substantiated Allegations that involved a serious injury either through physical abuse or neglect; any sexual abuse where a sexual assault or rape of a consumer may have occurred; and neglect investigations in which a client died.

Service Received	Substantiated Allegations		
	Injury	Sexual Abuse	Deaths
Brokerage	2	3	0
Group Home	6	0	0
Foster Care	3	1	0
Supported Living	0	1	0
Other	10	7	0
Total	21	12	0

Section 4 (1) (a) (B) Trainings: By OAAPI

OAAPI developed online trainings on mandatory abuse reporting for people with developmental disabilities and abuse prevention. Additionally, OAAPI conducted 3 core competency trainings to 44 participants.

The table above with the number of named perpetrators was previously titled named staff and was calculated in the past by the number of unduplicated staff with substantiated allegations. What this means is that if one staff member abused someone one month, and again 4 months later, they would only be counted once. This report provides a duplicated count (Same person counted more than once if involved in multiple substantiated allegations of abuse), and an unduplicated count (which is what was previously provided).

2016 Developmental Disability Programs: Abuse Allegations by Service Recieved
(Adult Foster Care, Brokerage, Group Home and Supported Living)

HB2442 Reporting Requirements: Section 4 (1) (a) (E) Complaints of abuse filed:

2016 Allegations Closed		AbuseType								
Service Type	Results	Abandonment	Financial	Neglect	Physical Abuse	Restraint	Restriction	Sexual Abuse	Verbal Abuse	Total Allegations
Adult Foster Care DD	Inconclusive	0	3	10	14	1	2	6	14	50
	Not Substantiated	0	9	29	20	9	4	3	22	96
	Substantiated	0	22	34	3	6	13	1	21	100
Adult Foster Care DD Total		0	34	73	37	16	19	10	57	246
Brokerage	Inconclusive	0	17	2	26	1	0	13	23	83
	Not Substantiated	0	13	6	32	3	1	6	32	93
	Substantiated	0	21	21	41	1	0	7	42	134
Brokerage Total		0	51	29	99	5	1	26	97	310
Group Home	Inconclusive	0	11	47	22	7	1	4	27	119
	Not Substantiated	0	16	140	72	16	7	8	66	325
	Substantiated	1	68	175	13	19	4	4	68	352
Group Home Total		1	95	362	107	42	12	16	161	796
Supported Living	Inconclusive	0	7	0	2	0	0	2	7	18
	Not Substantiated	0	2	2	3	0	0	1	3	11
	Substantiated	0	6	5	2	0	0	1	5	19
Supported Living Total		0	15	7	7	0	0	4	15	48
Other	Inconclusive	1	4	8	7	0	1	3	15	39
	Not Substantiated	0	7	16	18	3	3	4	21	72
	Substantiated	0	13	30	23	3	3	0	42	114
Other Total		1	24	54	48	6	7	7	78	225
		Abandonment	Financial	Neglect	Physical Abuse	Restraint	Restriction	Sexual Abuse	Verbal Abuse	Total Allegations
Total Allegations:		2	219	525	298	69	39	63	408	1625
Total Substaniated:		1	130	265	82	29	20	13	178	719
Substantiation Rate:		50.0%	59.4%	50.5%	27.5%	42.0%	51.3%	20.6%	43.6%	44.2%

2016 Developmental Disability Programs: Abuse Allegations by Service Recieved

Results - Substantiated Service Type	Allegations	Named Perpetrator (Unduplicated Count)	Named Perpetrator (Duplicated Count)	Referred to LEA
Brokerage	134	18	18	62
DD Adult Foster Care	100	42	78	26
Group Home	352	196	269	30
Supported Living	19	6	8	6
Vocational	33	12	25	3
Other	81	18	22	19
Grand Total	719	292	420	146

Section 4 (1) (a) (G) Serious Injuries, Sexual Assualt/Rape and Deaths

The data below reflect the number of Substantiated Allegations that involved a serious injury either through physical abuse or neglect; any sexual abuse where a sexual assault or rape of a consumer may have occurred; and neglect investigations in which a client died.

	Substantiated Allegations		
Service Received	Injury	Sexual Abuse	Deaths
Brokerage	7	3	0
Group Home	3	1	0
Foster Care	0	0	0
Supported Living	0	1	0
Other	6	0	0
Total	16	5	0

Section 4 (1) (a) (B) Trainings: By OAAPI

OAAPI developed online trainings on mandatory abuse reporting for people with developmental disabilities and abuse prevention. From 10/5/2016 - 12/31/2016, 139 participants have taken this training. Additionally, OAAPI conducted 3 core competency trainings to 38 participants.

The table above with the number of named perpetrators was previously titled named staff and was calculated in the past by the number of unduplicated staff with substantiated allegations. What this means is that if one staff member abused someone one month, and again 4 months later, they would only be counted once. This report provides a duplicated count (Same person counted more than once if involved in multiple substantiated allegations of abuse), and an unduplicated count (which is what was previously provided).

2016 Developmental Disability Programs: Abuse Allegations by Service Recieved
(Adult Foster Care, Brokerage, Group Home and Supported Living)

HB2442 Reporting Requirements: Section 4 (1) (a) (E) Complaints of abuse filed:

2016 Allegations Closed		AbuseType								
Service Type	Results	Abandonment	Financial	Neglect	Physical Abuse	Restraint	Restriction	Sexual Abuse	Verbal Abuse	Total Allegations
Adult Foster Care DD	Inconclusive	0	3	10	14	1	2	6	14	50
	Not Substantiated	0	9	29	20	9	4	3	22	96
	Substantiated	0	22	34	3	6	13	1	21	100
Adult Foster Care DD Total		0	34	73	37	16	19	10	57	246
Brokerage	Inconclusive	0	17	2	26	1	0	13	23	83
	Not Substantiated	0	13	6	32	3	1	6	32	93
	Substantiated	0	21	21	41	1	0	7	42	134
Brokerage Total		0	51	29	99	5	1	26	97	310
Group Home	Inconclusive	0	11	47	22	7	1	4	27	119
	Not Substantiated	0	16	140	72	16	7	8	66	325
	Substantiated	1	68	175	13	19	4	4	68	352
Group Home Total		1	95	362	107	42	12	16	161	796
Supported Living	Inconclusive	0	7	0	2	0	0	2	7	18
	Not Substantiated	0	2	2	3	0	0	1	3	11
	Substantiated	0	6	5	2	0	0	1	5	19
Supported Living Total		0	15	7	7	0	0	4	15	48
Other	Inconclusive	1	4	8	7	0	1	3	15	39
	Not Substantiated	0	7	16	18	3	3	4	21	72
	Substantiated	0	13	30	23	3	3	0	42	114
Other Total		1	24	54	48	6	7	7	78	225
		Abandonment	Financial	Neglect	Physical Abuse	Restraint	Restriction	Sexual Abuse	Verbal Abuse	Total Allegations
Total Allegations:		2	219	525	298	69	39	63	408	1625
Total Substaniated:		1	130	265	82	29	20	13	178	719
Substantiation Rate:		50.0%	59.4%	50.5%	27.5%	42.0%	51.3%	20.6%	43.6%	44.2%

ADULT FOSTER HOMES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES
411-360-0050
License Application and Fees
(Amended 06/29/2016)

(1) An applicant for an AFH-DD license must complete a written application on forms supplied by the Department and submit the application to the Department with the non-refundable fee.

(a) The application is not complete until the required information is submitted to the Department with the required non-refundable fee. Incomplete applications are void after 60 days from the date the application form is received by the Department.

(b) Failure to provide accurate information may result in the denial of the application.

(2) A separate application is required for each location where an AFH-DD is to be operated.

(3) An application for an AFH-DD that has a resident manager must include a completed application for the resident manager on the form supplied by the Department.

(4) The application for an AFH-DD license must include:

(a) The maximum capacity as described in OAR 411-360-0060;

(b) A list of all persons that reside in the home that receive care including family members that reside in the home that require care and persons receiving respite, relief care, and day care services;

(c) A list of all other occupants that reside in the home or on the property of the home, including family members, friends, and room and board tenants;

(d) The statement of a health care provider on the form supplied by the Department regarding the ability of the applicant to provide care and services;

(e) Financial information including:

(A) A completed Financial Information Sheet on the form supplied by the Department;

(i) An applicant must have the financial ability and maintain sufficient liquid resources to pay the operating costs of an AFH-DD for at least two months without solely relying on potential income from individuals and room and board payments.

(ii) If an applicant is applying to operate more than one AFH-DD, the applicant must demonstrate the financial ability and maintain sufficient liquid resources to pay the operating costs of all the homes for at least two months without solely relying on potential income from individuals and room and board payments.

(iii) If an applicant is unable to demonstrate the financial ability and resources required by this section of this rule, the Department may require the applicant to furnish a financial guarantee such as a line of credit or guaranteed loan to fulfill the requirements of this rule.

(B) Documentation of all unsatisfied judgments, liens, and pending lawsuits in which a claim for money or property is made against the applicant;

(C) Documentation of all bankruptcy filings by the applicant;

(D) Documentation of all unpaid taxes due from the applicant including but not limited to, property taxes, employment taxes, and state and federal income taxes;

(E) Copies of bank statements from the last three months demonstrating banking activity in both checking and savings accounts as applicable or demonstration of cash on hand may be requested; and

(F) A copy of a complete and current credit report for the applicant may be requested.

(f) If the home is leased or rented, a copy of the signed and dated lease or rental agreement. The agreement must be a standard lease or rental agreement for residential use and include the following:

(A) The name of the owner and landlord;

(B) Verification that the rent is a flat rate; and

(C) Signatures of the landlord and applicant and date signed.

(g) If the applicant is purchasing or owns the home, verification of purchase or ownership;

(h) A current and accurate floor plan for the home that indicates:

(A) The size of the rooms;

(B) The size of the windows;

(C) Which bedrooms are to be used by individuals, the licensee, caregivers, room and board tenants (as applicable), and for day care, relief care, and respite services;

(D) The location of all the exits on each level of the home, including emergency exits such as windows;

(E) The location of any wheelchair ramps;

(F) The location of all fire extinguishers, smoke alarms, and carbon monoxide alarms;

(G) Planned evacuation routes; and

(H) Any designated smoking areas in or on the premises of the home.

(i) If requesting a license to operate more than one AFH-DD, a plan covering administrative responsibilities and staffing qualifications for each home;

(j) Three personal references for the applicant. The personal references may not be family members, current or potential licensees, or co-workers of current or potential licensees;

(k) A written description of the daily operation of the AFH-DD including:

(A) The schedule of the provider, resident manager, and substitute caregivers; and

(B) A plan of coverage for the absence of the provider, resident manager, and substitute caregivers.

(l) Written information describing the operational plan for the AFH-DD including:

(A) The use of a substitute caregiver, if applicable; and

(B) A plan of coverage for the absence of the resident manager, if applicable;

(m) A signed background check and if needed, the mitigating information and fitness determination form for each person who is to have regular contact with the individuals, including the provider, the resident manager, caregivers, and other occupants of the home over the age of 16 (excluding individual service recipients);

(n) A signed consent form for a background check with regards to abuse of children;

(o) Founded reports of child abuse or substantiated abuse allegations with dates, locations, and resolutions of those reports for all persons that reside in the home, as well as all applicant or provider employees, independent contractors, and volunteers;

(p) The classification being requested with information and supporting documentation regarding qualifications, relevant work experience, and training of caregivers as required by the Department;

(q) A $20.00 per bed non-refundable fee for each individual service recipient (includes all private pay and publicly funded individuals, but does not include day care and family members);

(r) A copy of the Residency Agreement for the AFH-DD; and

(s) A mailing address if different from the address of the AFH-DD and a business address for electronic mail.

(5) After receipt of the completed application materials, including the non-refundable fee, the Department investigates the information submitted and inspects the home. Compliance with these rules is determined upon submission and completion of the application and the process described.

(a) The applicant is given a copy of the inspection form identifying any areas of noncompliance and specifying a timeframe for correction, but no later than 60 days from the date of inspection.

(b) Deficiencies noted during an inspection of the home must be corrected in the timeframe specified by the Department. Applicants must be in compliance with these rules before a license is issued. An application is denied if cited deficiencies are not corrected within the timeframes specified by the Department.

(6) Applicants must attend a local orientation offered by the local CDDP prior to being licensed.

(7) An applicant may withdraw a new or renewal application at any time during the application process by notifying the Department in writing.

(8) An applicant whose license has been revoked, non-renewed, or voluntarily surrendered during a revocation or non-renewal process, or whose application has been denied, may not be permitted to make a new application for one year from the date that the action is final, or for a longer period of time if specified in the final order.

(9) All monies collected under these rules are to be paid to the Quality of Care Fund.

Stat. Auth.: ORS 409.050, 410.070, 443.725, 443.730, 443.735, 443.738, 443.742, 443.760, 443.765, 443.767, 443.775, 443.790
Stats. Implemented: ORS 443.705-443.825

411-360-0260
Civil Penalties
(Amended 06/29/2016)

(1) A civil penalty of not less than $100 and not more than $250 per violation, except as otherwise provided in this rule, is imposed on a licensee for a general violation of these rules.

(2) A civil penalty of up to $500, unless otherwise required by law, is imposed for falsifying individual or AFH-DD records or causing another to falsify individual or AFH-DD records.

(3) A civil penalty of $250 is imposed on a licensee for failure to have either the provider, resident manager, or other qualified caregiver on duty 24 hours per day in the AFH-DD per ORS 443.725(3), unless permitted under OAR 411-360-0180(7).

(4) A civil penalty of $250 is imposed for dismantling or removing the battery from any required smoke alarm or failing to install any required smoke alarm.

(5) A civil penalty of not less than $250 and not more than $500, unless otherwise required by law, is imposed on a licensee who admits knowing that the care or service needs of an individual exceed the license classification of the AFH-DD if the admission places the individual or other individuals at grave risk of harm.

(6) Civil penalties of up to $1,000 per occurrence may be assessed for substantiated abuse.

(7) If the Department conducts an abuse investigation and the substantiated abuse resulted in the death, serious injury, rape, or sexual abuse of an individual, a civil penalty of not less than $2,500 is imposed for each violation.

(a) To impose the civil penalty in section (7) of this rule, the Department must establish that:

(A) The abuse arose from deliberate or other than accidental action or inaction;

(B) The conduct resulting in the abuse was likely to cause death, serious injury, rape, or sexual abuse of an individual; and

(C) The person with the substantiated finding of abuse had a duty of care and services toward the individual.

(b) For the purpose of the civil penalty in section (7) of this rule, the following definitions apply:

(A) "Serious injury" means a physical injury that creates a substantial risk of death or that causes serious disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

(B) "Rape" means rape in the first, second, or third degree as described in ORS 163.355, 163.365, and 163.375.

(C) "Sexual abuse" means any form of nonconsensual sexual contact including, but not limited to, unwanted or inappropriate touching, sodomy, sexual coercion, sexually explicit photographing, or sexual harassment. The sexual contact must be in the form of any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.

(D) "Other than accidental" means failure on the part of the licensee, employees, agents, or volunteers for whose conduct licensee is responsible, to comply with applicable Oregon Administrative Rules.

(8) In addition to any other liability or penalty, the Department may impose a civil penalty for any of the following:

(a) Operating the AFH-DD without a license;

(b) The number of individuals exceeds the licensed capacity for the AFH-DD;

(c) The licensee fails to achieve satisfactory compliance with the requirements of these rules within the time specified or fails to maintain such compliance;

(d) The AFH-DD is unable to provide an adequate level of care and services to support individuals in the AFH-DD;

(e) There is retaliation or discrimination against an individual, family member, employee, or any other person for making a complaint against the AFH-DD;

(f) The licensee fails to cooperate with the Department, physician, registered nurse, or other health care provider in carrying out the ISP or Service Agreement for an individual;

(g) The licensee fails to obtain an approved background check from the Department on a subject individual as defined in OAR 411-360-0020 prior to the subject individual operating, working, training in, or residing in an AFH-DD;

(h) Violations are found on two consecutive inspections of an AFH-DD after a reasonable amount of time prescribed for elimination of the violations has passed; or

(i) Violations other than those involving the health, safety, or welfare of an individual if the licensee fails to correct the violation as required when a reasonable timeframe for correction was given.

(9) In imposing a civil penalty pursuant to this rule, except for a civil penalty imposed pursuant to section (7) of this rule, the following factors are considered by the Department:

(a) The past history of the licensee incurring a civil penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation;

(b) Any prior violations of statutes or rules pertaining to AFH-DD;

(c) The economic and financial conditions of the licensee incurring the civil penalty; and

(d) The immediacy and extent to which the violation threatens or threatened the health, safety, and welfare of the individuals.

(10) The notice of civil penalty is delivered in person or sent by registered or certified mail and includes:

(a) A reference to the particular sections of the statute, rule, standard, or order involved;

(b) A short and plain statement of the matter asserted or charged;

(c) A statement of the amount of the civil penalty or penalties imposed; and

(d) A statement of the right of the licensee to request a contested case hearing.

(11) The licensee has10 calendar days after the receipt of the notice of civil penalty in which to make a written application for a contested case hearing before the Department. A final order by default is issued by the Department if a written request for a contested case hearing is not timely received.

(12) All contested case hearings are conducted pursuant to the applicable provisions of ORS chapter 183.

(13) Except as may be prohibited by state law, a civil penalty imposed under ORS 443.455 or 441.710 may be remitted or reduced upon such terms and conditions as the Director of the Department considers proper and consistent with individual health and safety.

(14) If a final order is not appealed, the amount of the civil penalty is payable within 10 days after the final order is entered. If the final order is appealed and is sustained, the amount of the civil penalty is payable within 10 days after the court decision. The final order, if not appealed or sustained on appeal, constitutes a judgment and may be filed in accordance with provisions of ORS chapter 18. Execution may be issued upon the order in the same manner as execution upon a judgment of a court of record.

(15) A violation of any general order or final order pertaining to an AFH-DD issued by the Department is subject to a civil penalty in the amount of not less than $5 and not more than $500 for each and every violation.

(16) Judicial review of civil penalties imposed under ORS 441.710 is provided under ORS 183.480, except that the court may, in its discretion, reduce the amount of the penalty.

(17) All penalties recovered under ORS 443.455 and 441.710 to 441.740 are to be paid into the Quality Care Fund.

Stat. Auth.: ORS 409.050, 410.070, 443.725, 443.730, 443.735, 443.738, 443.742, 443.760, 443.765, 443.767, 443.775, 443.790
Stats. Implemented: ORS 443.705-443.825

Note: The full text of the administrative rule can be found at:
http://www.dhs.state.or.us/policy/spd/rules/411_360.pdf

24 HOUR RESIDENTIAL SERVICES FEES
411-325-0040 Application for Initial License
(Amended 06/29/2016)
(1) At least 30 days prior to anticipated licensure, an applicant must submit an application and required non-refundable fee. The application is provided by the Department and must include all information requested by the Department.
(2) The application must identify the number of beds the 24-hour residential setting is presently capable of operating at the time of application, considering existing equipment, ancillary service capability, and the physical requirements as specified by these rules. For purposes of license renewal, the number of beds to be licensed may not exceed the number identified on the license to be renewed unless approved by the Department.
(3) The initial application must include --
(a) A copy of any lease agreements or contracts, management agreements or contracts, and sales agreements or contracts, relative to the operation and ownership of the home;
(b) A floor plan of the home showing the location and size of rooms, exits, smoke alarms, and extinguishers; and
(c) A copy of the Residency Agreement as described in OAR 411-325-0300.
(4) If a scheduled, onsite licensing inspection reveals that an applicant is not in compliance with these rules as attested to on the Licensing Onsite Inspection Checklist, the onsite licensing inspection may be rescheduled at the convenience of the Department.
(5) Applicants may not admit any individual to the home prior to receiving a written confirmation of licensure from the Department.
(6) If an applicant fails to provide complete, accurate, and truthful information during the application and licensing process, the Department may cause initial licensure to be delayed or may deny or revoke the license.
(7) Any applicant or person with a controlling interest in an agency is considered responsible for acts occurring during, and relating to, the operation of such home for the purpose of licensing.
(8) The Department may consider the background and operating history of each applicant and each person with a controlling ownership interest when determining whether to issue a license.
(9) When an application for initial licensure is made by an applicant who owns or operates other licensed homes or facilities in Oregon, the Department may deny the license if the applicant's existing home or facility is not, or has not been, in substantial compliance with the Oregon Administrative Rules.
(10) Separate licenses are not required for separate buildings located contiguously and operated as an integrated unit by the same management.
(11) A provider may not admit an individual whose service needs exceed the classification on the license of the home without prior written consent of the Department.
Stat. Auth.: ORS 409.050, 443.450, 443.455 Stats. Implemented: ORS 443.400 - 443.455

24 HOUR RESIDENTIAL CIVIL PENALTIES
411-325-0460
Civil Penalties
(Amended 06/29/2016)
(1) For purposes of imposing civil penalties, 24-hour residential settings licensed under ORS 443.400 to 443.455 and ORS 443.991(2) are considered to be long-term care facilities subject to ORS 441.705 to 441.745.
(2) The Department issues the following schedule of penalties applicable to 24-hour residential settings as provided for under ORS 441.705 to 441.745:
(a) Violations of any requirement within any part of the following rules may result in a civil penalty up to $500 per day for each violation not to exceed $6,000 for all violations for any licensed 24-hour residential setting within a 90-day period:
(A) 411-325-0025(3), (4), (5), (6), and (7);
(B) 411-325-0120(2), and (4);
(C) 411-325-0130;
(D) 411-325-0140;
(E) 411-325-0150;
(F) 411-325-0170;
(G) 411-325-0190;
(H) 411-325-0200;
(I) 411-325-0220(1), and (3);
(J) 411-325-0230;
(K) 411-325-0240, 0250, 0260, 0270, 0280, and 0290;
(L) 411-325-0300, 0340, and 0350;
(M) 411-325-0360; and
(N) 411-325-0380.
(b) Civil penalties of up to $300 per day per violation may be imposed for violations of any section of these rules not listed in subsection (a)(A) to (a)(N) of this section if a violation has been cited on two consecutive inspections or surveys of a 24-hour residential setting where such surveys are conducted by an employee of the Department. Penalties assessed under this section of this rule may not exceed $6,000 within a 90-day period.
(3) Monitoring occurs when a 24-hour residential setting is surveyed, inspected, or investigated by an employee or designee of the Department or an employee or designee of the Office of State Fire Marshal.
(4) In imposing a civil penalty pursuant to the schedule published in section (2) of this rule, the Department considers the following factors:
(a) The past history of the provider incurring a penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation;
(b) Any prior violations of statutes or rules pertaining to 24-hour residential settings;
(c) The economic and financial conditions of the provider incurring the penalty; and
(d) The immediacy and extent to which the violation threatens or threatened the health, safety, or well-being of individuals.
(5) Any civil penalty imposed under ORS 443.455 and 441.710 becomes due and payable when the provider incurring the penalty receives a notice in writing from the Director of the Department. The notice referred to in this section of this rule is sent by registered or certified mail and includes:
(a) A reference to the particular sections of the statute, rule, standard, or order involved;
(b) A short and plain statement of the matters asserted or charged;

(c) A statement of the amount of the penalty or penalties imposed; and
(d) A statement of the right of the services provider to request a hearing.
(6) The person representing the provider to whom the notice is addressed has 20 days from the date of mailing of the notice in which to make a written application for a hearing before the Department.
(7) All hearings are conducted pursuant to the applicable provisions of ORS chapter 183.
(8) If the provider notified fails to request a hearing within 20 days, an order may be entered by the Department assessing a civil penalty.
(9) If, after a hearing, the provider is found to be in violation of a license, rule, or order listed in ORS 441.710(1), an order may be entered by the Department assessing a civil penalty.
(10) A civil penalty imposed under ORS 443.455 or 441.710 may be remitted or reduced upon such terms and conditions as the Director of the Department considers proper and consistent with individual health and safety.
(11) If the order is not appealed, the amount of the penalty is payable within 10 days after the order is entered. If the order is appealed and is sustained, the amount of the penalty is payable within 10 days after the court decision. The order, if not appealed or sustained on appeal, constitutes a judgment and may be filed in accordance with the provisions of ORS 183.745. Execution may be issued upon the order in the same manner as execution upon a judgment of a court of record.
(12) A violation of any general order or Final Order pertaining to a 24-hour residential setting issued by the Department is subject to a civil penalty in the amount of not less than $5 and not more than $500 for each and every violation.
(13) Judicial review of civil penalties imposed under ORS 441.710 are provided under ORS 183.480, except that the court may, in its discretion, reduce the amount of the penalty.
(14) All penalties recovered under ORS 443.455 and 441.710 to 441.740 are paid into the State Treasury and credited to the General Fund.
Stat. Auth.: ORS 409.050, 443.450, 443.455 Stats. Implemented: ORS 443.400 - 443.455 Note:

The full text of the administrative rule can be found at:
http://www.dhs.state.or.us/policy/spd/rules/411_325.pdf