

OFFICE OF THE SECRETARY OF STATE
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ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 413
DEPARTMENT OF HUMAN SERVICES
CHILD WELFARE PROGRAMS

FILED
04/08/2019 5:02 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Adjusting Title IV-E rule 0060 to reflect additional reimbursable placement

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/28/2019 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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500 Summer St NE
Salem, OR 97301

Filed By:
Anne King
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 05/16/2019

TIME: 9:00 AM - 10:00 AM

OFFICER: Anne King/Kathy Steiner

ADDRESS: Department of Human
Services

500 Summer St NE

Room 137A

Salem, OR 97301

SPECIAL INSTRUCTIONS:

Attendees: If you wish to provide
comment, please be signed in or call in
by no later than 15 minutes after the
start time.

Call in: +1 (503) 934-1400, 7947849#

NEED FOR THE RULE(S):

The Department has need for additional placement services, and these resources are reimbursable under Title IV-E.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None.

FISCAL AND ECONOMIC IMPACT:

The Department estimates amending this rule will have no fiscal impact on the Department, other state agencies, clients, providers, the public, local government, or business, including small business. No small businesses are subject to this rule.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There is no expected cost of compliance for state agencies, local government or small businesses.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of this rule, but they are invited to provide input during the comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

An exception was granted.

AMEND: 413-100-0060

RULE SUMMARY: These changes implement a supervised setting as a reimbursable placement.

CHANGES TO RULE:

413-100-0060

Title IV-E Reimbursable Placements and Payments ¶¶

(1) Reimbursable Placements. There are ~~four~~five types of out-of-home placements that meet the Title IV-E definition of a reimbursable placement. They are:¶¶

(a) The home of a certified non-relative;¶¶

(b) The home of a certified relative;¶¶

(c) A private, non-medical group home or crisis residential center licensed by a state; ~~or~~¶¶

(d) A public non-medical group home or child caring agency with a licensed capacity of no more than 25 children; ~~or~~¶¶

(e) A supervised setting that is approved by the Department in which a young adult is living independently.¶¶

(2) Reimbursable Payments. Title IV-E foster care maintenance payments for a child or young adult in foster care may cover expenses listed in the following subsections:¶¶

(a) The cost for and the cost of providing food, clothing, shelter, daily supervision, school supplies, a child or young adult's personal incidentals, liability insurance with respect to the child or young adult, and reasonable travel to the child or young adult's home for visitation with family or other caretakers, and reasonable travel for the child or young adult to remain in the school in which the child or young adult is enrolled at the time of placement. Local travel associated with providing the items listed in this subsection is also an allowable expense.¶¶

(b) For a child care institution, the Title IV-E foster care maintenance payment must include reimbursement for the institution's reasonable administrative and operating expenses required to provide the items described in subsection (a) of this section.¶¶

(c) Title IV-E funds may be claimed retroactively for up to two years.

Statutory/Other Authority: ORS 409.010, ORS 409.050, ORS 418.005

Statutes/Other Implemented: ORS 409.010, ORS 409.050, ORS 418.005