OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
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: 10/29/2026 3:00 PM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Rule changes consolidate funding streams to simplify SPRF criteria, offering districts greater clarity and flexibility.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/18/2026 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.

CONTACT:
Eric Warner
971-332-0319
cw.policyunit@odhsoha.oregon.gov
500 Summer St NE E-67
Salem, OR 97301

Filed By:
Ryan Schott
Rules Coordinator

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

DATE: 11/17/2026
TIME: 9:30 AM - 10:00 AM
OFFICER: Eric Warner

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 971-277-2343
CONFERENCE ID: 392607255
SPECIAL INSTRUCTIONS:
Attendees will need to join the meeting by Microsoft Teams or phone. If you wish to provide comment, please be signed in or call in by no later than 15 minutes after the start time. Join by Microsoft Teams (Meeting ID: 2507402191902764 Passcode: f9S3yc9o or call in: +1-971-277-2343, Phone Conference ID: #392607255#

Everyone has a right to know about and use ODHS programs and services. ODHS provides assistance such as: sign

language and spoken language interpreters, written materials in other languages, braille, large print, audio and other formats. If you need assistance or have questions, please contact CW.PolicyUnit@odhsoha.oregon.gov at least 5 days before the meeting.

NEED FOR THE RULE(S):

Rule changes consolidate funding streams to simplify SPRF criteria, offering districts greater clarity and flexibility.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

No documents were relied upon.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

Making the changes to these consolidated child welfare funding rules can support racial equity by reducing inconsistent criteria and unequal access to services across districts. A single, clearer set of guidelines helps ensure that families—particularly those from communities historically overrepresented in the child welfare system—receive more consistent, timely, and culturally appropriate supports aimed at prevention, preservation, and reunification. This streamlined approach can help mitigate disparities in service delivery and promote more equitable outcomes for children and families statewide.

FISCAL AND ECONOMIC IMPACT:

The Department estimates that there will not be any fiscal impact to state agencies, clients, the public or businesses, including small businesses.

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).

(1) The Department estimates there will not be any cost of compliance to state agencies, units of local governments, or members of the public. (2) The Department estimates these rules will not have any effect on small business. (a) No small businesses are affected by this adoption; (b)The Department estimates there will not be any cost expected for reporting, record keeping, or administrative activities or cost to comply with the rules. (c) There is no cost of professional services, equipment supplies, labor and increased administration required for small businesses to comply with the rule(s).

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

Small businesses were not involved in the development of these rules, however, are invited to provide input during the public comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:
413-053-0000, 413-053-0005, 413-053-0010, 413-053-0020, 413-053-0030, 413-053-0040, 413-053-0050, 413-053-0060, 413-053-0070, 413-330-0900, 413-330-0910, 413-330-0920, 413-330-0930, 413-330-0940, 413-330-0950, 413-330-0960, 413-330-0970, 413-330-0980, 413-330-0990, 413-330-1000, 413-330-1010

REPEAL: 413-053-0000

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0000~~
~~Definitions~~
~~(1) "Child" means a person who:¶~~
~~(a) Is under 18 years of age; or¶~~
~~(b) Is under 21 years of age and residing in or receiving care or services at a child-caring agency or proctor foster home.¶~~
~~(2) "Child protective services" (CPS) means a specialized social service program that Child Welfare provides on behalf of children or, when applicable, young adults who may be unsafe after a report of abuse is received.¶~~
~~(3) "Contractor" means the person or entity that is awarded a contract and is responsible for the provision of services.¶~~
~~(4) "CPS assessment" means an investigation into a report of abuse pursuant to ORS 419B.020, ORS 418.205 - 418.327, or ORS 419B.035 that includes activities and interventions to identify and analyze safety threats, determine if there is reasonable cause to believe abuse occurred, and assure safety through protective action plans, initial safety plans, or ongoing safety planning.¶~~
~~(5) "Department" means the Oregon Department of Human Services. ¶~~
~~(6) "Family" means, at a minimum but not to the exclusion of siblings as defined in ORS 419A.004 or other persons living in the same household with a child, the child and:¶~~
~~(a) The child's parent as defined in ORS 419A.004;¶~~
~~(b) The child's guardian appointed pursuant to ORS chapter 125; or¶~~
~~(c) A person who has a caregiver relationship as defined in ORS 419B.116 with the child.¶~~
~~(7) "Flexible funds" means expenditures that are intended to provide goods and services that support child safety and maintain a child safely in the home or to expedite reunification, attachment, permanency and well-being.¶~~
~~(8) "Front-end intervention" means a service that provides specialists in areas such as alcohol and drug treatment, domestic violence, mental health or a human service generalist, who may accompany Department caseworkers on initial CPS calls and visits in response to allegations or reports of abuse or neglect.¶~~
~~(9) "Impending danger safety threat" means a family behavior, condition, or circumstance that meets all five safety threshold criteria. When it is occurring, this type of threat to a child is not immediate, obvious, or occurring at the onset of the CPS intervention. This threat is identified and understood more fully by evaluating and understanding individual and family functioning.¶~~
~~(10) "Initial safety plan" means a documented set of actions or interventions sufficient to protect a child from an impending danger safety threat in order to allow for completion of the CPS assessment.¶~~
~~(11) "Moderate to high needs" means observable family behaviors, conditions, or circumstances that are occurring now; and over the next year without intervention, are likely to have a negative impact on a child's physical, sexual, psychological, cognitive, or behavioral development or functioning. The potential negative impact is not judged to be severe. While intervention is not required for the child to be safe, it is reasonable to determine that short-term, targeted services could reduce or eliminate the likelihood that the negative impact will occur.¶~~
~~(12) "Navigator" means a service provider who works with families, assists them in understanding the safety concerns leading to Department involvement, encourages participation with the Department and other service providers, locates resources and eliminates barriers.¶~~
~~(13) "Ongoing safety plan" means a documented set of actions or interventions that manage the safety of a child or, when applicable, a young adult after Child Welfare has identified one or more impending danger safety threats at the conclusion of a CPS assessment or anytime during ongoing work with a family.¶~~
~~(14) "Other admin-only case" refers to a case opened by the Department for the sole purpose of providing contracted community services post CPS assessment to a family with moderate to high needs. No casework activities, including monitoring child safety, occur.¶~~
~~(15) "Present danger safety threat" means an immediate, significant, and clearly observable family behavior, condition, or circumstance occurring in the present tense, already endangering or threatening to endanger a child or, when applicable, a young adult. The family behavior, condition, or circumstance is happening now and it is currently in the process of actively placing a child or, when applicable, a young adult in peril.¶~~
~~(16) "Protective action plan" means an immediate, same day, short-term plan, lasting a maximum of 10 calendar days, sufficient to protect a child from a present danger safety threat.¶~~

~~(17) "SPRF" means the Strengthening, Preserving and Reunifying Families program. Services paid for with SPRF funds are intended to prevent a child from entering substitute care and allow a child to remain with or reunify with his or her family. The services: ¶~~
~~(a) Are flexible and can be provided during the Department's initial involvement with the family; ¶~~
~~(b) Can be ongoing, long or short term; and ¶~~
~~(c) Can be focused on the child, family or both. ¶~~
~~(18) "Strengths and needs assessment" means a tool used to assess the strengths and needs, including service needs, of a family determined to have moderate to high needs.¶~~
~~(19) "Substitute care" means the out-of-home placement of a child or young adult who is in the legal or physical custody and care of the Department.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598, ORS 418.205 - 418.327, ORS 419B.035~~

ADOPT: 413-053-0005

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

413-053-0005
Purpose
District Services for Families are funds administered by the Department to strengthen, preserve, and reunify families as described in ORS 418.575 to 418.598. To be eligible for these funds, services must: ¶
(1) Include client-focused functional outcome measures. ¶
(2) Measure outcomes consistent with the District Services Outcomes Table, adopted on October 16, 2026, as Exhibit 1 and incorporated by reference into this rule. A copy of Exhibit 1 may be obtained from the Department.
Statutory/Other Authority: 418.005
Statutes/Other Implemented: 409.050

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

NOTE: Attachments referenced are attached to this document. You may view the attachment 413-053-0005.pdf from the Attachments panel. Alternately, you may view the attachments at the following link: https://secure.sos.state.or.us/oard/viewAttachment.action?ruleVrsnRsn=341102

REPEAL: 413-053-0010

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0010~~
~~History and Purpose~~
~~(1) In 2011, the Oregon Legislature created requirements for Strengthening, Preserving and Reunifying Families programs. These directives are codified in ORS 418.580 to 418.598. The goals of the programs are to: ¶~~
~~(a) Reduce the number of children entering substitute care and reduce their length of stay in substitute care; ¶~~
~~(b) Reduce the trauma of CPS involvement for children and families; ¶~~
~~(c) Ensure families receive timely family-focused services, while children remain safely at home; ¶~~
~~(d) Improve collaboration between the Department and its county partners, especially when those partners are providing appropriate and necessary services to families; and ¶~~
~~(e) Create better outcomes for children and families involved with the Department. ¶~~
~~(2) The purpose of these rules is to describe the responsibilities of the Department in providing SPRF services.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-053-0020

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0020~~
~~Eligibility Criteria~~
~~(1) During a CPS assessment, if a present danger safety threat or impending danger safety threat has not been identified, a family is eligible to receive only the following SPRF service types:¶~~
~~(a) Front-end intervention. ¶~~
~~(b) Navigator. ¶~~
~~(2) In an other admin-only case, a family is eligible to receive the SPRF service types in section (3) of this rule when: ¶~~
~~(a) A CPS assessment has been completed; ¶~~
~~(b) No present danger safety threat or impending danger safety threat has been identified; and ¶~~
~~(c) The family has moderate to high needs.¶~~
~~(3) When the requirements in section (2) of this rule are met, the SPRF services available for an other-admin only case are: ¶~~
~~(a) Strengths and needs assessment; and ¶~~
~~(b) Any SPRF services available to that district that are recommended by the Department. ¶~~
~~(4) When a present danger safety threat or impending danger safety threat has been identified and is being managed with a protective action plan, initial safety plan or ongoing safety plan, a family is eligible to receive services when: ¶~~
~~(a) A family has an open Family Support Services case, pursuant to OAR 413-030-0003 to 413-030-0030;¶~~
~~(b) A child is in substitute care and the service is used to support the child to promote the safety, permanency or well-being of the child; ¶~~
~~(c) A family has an open CPS assessment; or¶~~
~~(d) A family has an open Department case including an in-home non-court involved case. ¶~~
~~(5) The Department may use SPRF services to engage in active efforts with Indian families, as required in OAR 413-115.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-053-0030

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0030~~
~~Referral for a SPRF Service~~
~~To receive SPRF services, the Department must submit to the provider:¶~~
~~(1) A written service referral approved by a supervisor; and ¶~~
~~(2) A completed DHS form 2099.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-053-0040

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0040~~
~~CPS Assessment Closure or Department Case Closure~~
~~(1) The Department must close a SPRF service immediately when: ¶~~
~~(a) A CPS assessment closes, and a Department case is not opened pursuant to OAR 413-015-0445; ¶~~
~~(b) An other-admin only case is closed; or¶~~
~~(c) A Department case is closed.¶~~
~~(2) When the Department closes a SPRF service pursuant to section (1) of this rule, the Department must:¶~~
~~(a) Notify the provider the service is closed; and ¶~~
~~(b) Document in the department's electronic information system that the provider has been notified.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-053-0050

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0050~~
~~Exception to CPS Assessment Closure: Other Admin-Only Cases~~
~~(1) The only services the Department may provide for an other admin-only case are SPRF services.¶~~
~~(2) An other admin-only case that is open after a CPS assessment may remain open for up to 90 days to provide SPRF services, with the option of one 90-day extension. An extension must be approved by the district manager, program manager or designee. ¶~~
~~(3) If the family continues to need services in an other admin-only case, Department responsibilities are limited to:¶~~
~~(a) Entering and ending services;¶~~
~~(b) Validating invoices for services;¶~~
~~(c) Requesting and approving extensions; and¶~~
~~(d) Case closure.¶~~
~~(4) If, at the end of an assessment, the child is determined to be safe and the family has moderate to high needs, the Department may offer the family a strengths and needs assessment. If, because of the strengths and needs assessment, services are recommended and available, the Department may refer the family to SPRF services. ¶~~
~~(5) When the other admin-only case closes, the Department must immediately close all SPRF services and notify each provider that the service has closed.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-053-0060

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0060~~
~~Outcome Measures~~
~~(1) All SPRF services have client-focused functional outcome measures.¶~~
~~(2) SPRF outcomes are delineated by service category and are in the SPRF Outcomes table, dated November 2017, which is adopted as Exhibit 1 and incorporated by reference into this rule. A printed copy may be obtained from the Department.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-053-0070

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-053-0070~~
~~Flexible Funds for SPRF~~
~~(1) Flexible funds may be negotiated as part of individual SPRF contracts. Including flexible funds in a contract is optional and based on agreement between the Department and the contractor. ¶~~
~~(2) A contractor may use flexible funds to support engagement with the family and to achieve the contracted outcomes and services goals that correlate with the SPRF services provided in the individual SPRF contract.¶~~
~~(3) Flexible funds expenditures that meet the requirements of this division and contract-specific criteria will be reimbursed by the Department. ¶~~
~~(4) When appropriate, flexible funds should be utilized to support fulfilling active efforts for Indian children.~~
~~Statutory/Other Authority: ORS 418.005, ORS 418.575-418.598~~
~~Statutes/Other Implemented: ORS 418.575-418.598~~

REPEAL: 413-330-0900

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0900~~
~~Purpose~~
~~These administrative rules (OAR 413-330-0900 to 413-330-1010) describe the use of the system-of-care short-form personal-services contract. These rules also describe how approval authority for these contracts is delegated to agency managers and supervisors.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0910

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0910~~
~~Definitions~~
~~As used in OAR 413-330-0900 to 413-330-1010:¶~~
~~(1) "Approval authority" means the authority to approve and execute a contract. OAR 125-020-0220(1) gives the Department of Administrative Services (DAS) approval authority for all state agency contracts. DAS has delegated the approval authority to the Department of Human Services (the Department) for client services contracts (see OAR 125-020-0600(1)(a)).¶~~
~~(2) "Child" means an unmarried person under 18 years of age. A person between 18 and 21 years of age and in the custody of the Department is also considered a child for purposes of these rules.¶~~
~~(3) "Client" means a child or adult receiving services from the Department.¶~~
~~(4) "Contract authority" means the authority to select a contractor, negotiate a contract, and sign a contract.¶~~
~~(5) "Family member" means a person related to the child.¶~~
~~(6) "Independent contractor" means an individual at least 18 years of age or a business that is an independent contractor as defined in ORS 670.600.¶~~
~~(7) "Nontraditional contractor" means an individual at least 18 years of age or a business not currently licensed by the Department as a child-caring agency who has contracted with the Department if the total authorized expenditure of all contracts is less than $8,000.¶~~
~~(8) "Primary care giver" means a person who is responsible for providing care and supervision of a child.¶~~
~~(9) "System-of-care short-form personal-services contract" or "SOC short-form contract" means a class of personal services contracts funded by flexible funds allocated by the Department as part of the Department's system-of-care settlement agreement with the Juvenile Rights Project, Inc., and developed by the Department to provide expedited service delivery to children and families as allowed by these rules.¶~~
~~(10) "System-of-care contractor" or "SOC contractor" means an individual or business that has contracted with the Department and is paid with flexible funds allocated by the Department as part of the Department's system-of-care settlement agreement with the Juvenile Rights Project, Inc.¶~~
~~(11) "System-of-care settlement agreement" means the agreement between the Oregon Department of Human Services and the Juvenile Rights Project, Inc., which includes provisions for the use of flexible funds in meeting the individual needs of children and their families to promote safety, permanency, and well being.¶~~
~~(12) "Traditional contractor" means an individual at least 18 years of age who has exceeded $8,000 in total SOC contracts during the preceding 12 month period, regardless of funding source or purpose; or a business currently licensed by the Department as provided for by OAR 413-220-0000 to 413-220-0160.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0920

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0920~~
~~Policy~~
~~(1) The Department's implementation of its strengths-and-needs-based system-of-care model for delivering client services has placed an increased emphasis on providing the child and the child's primary care giver with the individualized services they need in a timely manner. The client's strengths and needs are collaboratively identified by the following parties:¶~~
~~(a) The child, if appropriate;¶~~
~~(b) The primary care giver;¶~~
~~(c) Members in addition to the primary care giver;¶~~
~~(d) Appropriate employees of the Department;¶~~
~~(e) Other interested parties.¶~~
~~(2) Services are designed to meet the child's needs and reach the agreed-upon outcomes.¶~~
~~(3) The SOC short-form contract helps the Department's staff expedite the contracting. It is designed to:¶~~
~~(a) Provide nonresidential services to meet the needs of a child.¶~~
~~(b) Increase the resource pool of service contractors by allowing the use of both traditional and nontraditional contractors.¶~~
~~(c) Provide more timely delivery of services by delegating approval authority for SOC short-form contracts to local Child Welfare program managers and supervisors.¶~~
~~(4) An SOC short-form contract can be used when the following conditions are met:¶~~
~~(a) The contractor is an independent contractor.¶~~
~~(b) The services are:¶~~
~~(A) Provided for a specific child, sibling group, or primary care giver.¶~~
~~(B) Provided to help the caseworker, the child, and the child's family reach mutually agreed-upon outcomes.¶~~
~~(C) Nonresidential.¶~~
~~(D) Limited to a maximum length of 12 months. The expectation is that the mutually agreed-upon outcomes will be reached within that time period.¶~~
~~(E) Limited to a maximum dollar amount of $4,000. The expectation is that the mutually agreed-upon outcomes will be reached without spending more than that amount.¶~~
~~(c) The contracted services do not include:¶~~
~~(A) Services the recipient is eligible to receive that are available from another public agency or institution or from a private contractor under an existing contract; or¶~~
~~(B) The same services or services similar to those being provided by Department staff.¶~~
~~(d) Funds are available and authorized for the type of service and client to be served by the contract, and the cost is reasonable and commensurate with the cost of similar services.¶~~
~~(5) The statement of work, in an SOC short-form contract, is written to describe the agreed-upon outcomes and the services to be provided. Outcomes must be specifically related to one or more of the following goals:¶~~
~~(a) Safety - to prevent placement or re-entry into care and to ensure the child's safety in the home.¶~~
~~(b) Permanency - to prevent movement in care and to ensure stability in the living situation or facilitate permanency for a child for whom the plan is categorized as an "other planned permanent living arrangement."¶~~
~~(c) Facilitate reunification - to facilitate the child's return home and preserve continuity of family relationships and permanency for the child.¶~~
~~(d) Permanency - to facilitate the child's permanency plan of adoption or guardianship.¶~~
~~(e) Well-being - to facilitate the child's well-being by enhancing the family's capacity to provide for its children's needs.¶~~
~~(f) Well-being - to facilitate the child's well-being by ensuring the child receives adequate and appropriate services to meet medical, physical, mental health, social, emotional-development, or educational needs.¶~~
~~(6) Contracted services must be provided by the contractor. The SOC short-form contract does not allow subcontracting. A traditional contractor may use an employee or volunteer to provide the contracted services. A nontraditional contractor must provide the services himself or herself and cannot use an employee or volunteer to~~

~~provide the contracted services.¶~~
~~(7) The Department may terminate an SOC short-form contract upon written notice to the contractor.¶~~
~~(8) The printed contract cannot be altered. If the format is changed by anyone, regardless of the reason or circumstances, the contract cannot be executed and is void.¶~~
~~(9) Within 24 hours after the contract is signed by both parties, the contract and cover sheet must be sent by facsimile to the Technical Assistance Unit.¶~~
~~[ED. NOTE: Forms referenced are available from the agency.]~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0930

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0930~~
~~Contractor~~
~~(1) A short-form contract is used by the Department only to contract with a provider who is an independent contractor.¶~~
~~(2) An SOC contractor must be at least 18 years of age.¶~~
~~(3) A contractor for an SOC short-form contract is selected by direct negotiations. The Department negotiates directly with the contractor who is determined to be the best able to provide the services at a reasonable price. No informal or formal contractor selection and solicitation process is required.¶~~
~~(4) A nontraditional contractor is considered a traditional contractor once the total dollar amount of all contracts the individual has with the Department, regardless of funding source or purpose, exceeds $8,000 during a 12-month period. At that point, the insurance and liability coverage requirements increase. A traditional contractor is required to meet all contractual insurance requirements, including the requirement to obtain professional liability insurance, if the contractor must be licensed or accredited to do the contracted work. The 12-month period is measured from the earliest contract effective date to the latest contract end date for all contracts that the nontraditional contractor has with the Department.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0940

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0940~~
~~Types of Service~~
~~(1) The Department uses an SOC short-form contract with a traditional contractor for such services as the following:¶~~
~~(a) Housing and food services - including housing deposits, utilities, home repairs, food, household necessities, cleaning services, supplies, and equipment.¶~~
~~(b) Transportation - including transportation for visitation, bus passes, other fares, automobile repair, and reimbursement when the family is transported by a community or family member.¶~~
~~(c) Assessment, testing, and evaluations - including psychiatric, psychological, psycho-social, behavioral, developmental, medical, or educational services not available through other resources such as other programs operated by the Department or from a school district.¶~~
~~(d) Therapeutic and rehabilitative services - including family, group, and individual therapy (including drug and alcohol treatment services) not available through other sources, such as from other programs operated by the Department or from family-based service contracts, including intensive family services (IFS), and family sex abuse treatment (FSAT), and parent training.¶~~
~~(e) Skills training and support - including parent coaching, mentoring, psycho-social skills training and support, shadowing or one-on-one supervision, and support of daily activities, transition support services, sub-care or in-home behavior support or management, and educational services not available through other programs operated by the Department or from a school districts.¶~~
~~(f) Support services for care givers - including time-limited services for parents, foster parents, and relative care takers not provided by other sources.¶~~
~~(g) Well-being and developmental needs - including expenses related to school or recreational activities, such as fees for sports, camps, school trips, music, arts, and other activities, and activities related to a child's traditional or cultural needs or developmental milestones.¶~~
~~(2) The nontraditional contractor is a contractor chosen for his or her unique capacity to connect with the child based on the specific strengths and needs of the child as identified in the strengths-and-needs-based service planning process. The nontraditional contractor focuses on working with the family in addressing the specific strengths and needs of the child. The nontraditional contractor gives special care to planning activities that can eventually be maintained without the contractor's involvement. A short-form contract can be used with a nontraditional contractor only for the following services:¶~~
~~(a) Individual Mentoring: Social, behavioral, and recreational skill development. Assisting the child in exploring special talents or interests, arranging for on-going social or recreational opportunities, and modeling appropriate interaction with others with special care given to planning activities that can eventually be maintained without the mentor.¶~~
~~(b) Family Mentoring: Engagement of families for parenting skill development, including modeling appropriate interactions with children in the home, effective problem-solving, establishment of routines, and assisting with development of natural helping systems to enable the family to function independently with success.¶~~
~~(c) Individual Tutoring: Educational support services tailored specifically to the needs of the child. This assistance should be offered when the child's developmental functioning is significantly compromised without tutoring and is not obtainable through an Individual Education Plan (IEP) or any other appropriate resource.¶~~
~~(d) Developmental Support: Chosen activities requiring adult supervision at all times to meet the child's identified developmental needs or milestones.¶~~
~~(e) Therapeutic Visitation: Visitation services to address the child's needs and encompass specific therapeutic goals. The contractor, if not licensed, must obtain supervision from a licensed therapist, at his or her own expense, for consultation and feedback on the therapeutic process and progress of the visitation.¶~~
~~(3) The Department's worker must enter the System of Care Service Codes, Open Reasons, and Disposition in the Department's Integrated Information System (IIS), including the person letter for the parents and children who benefit from or participate in the authorized service.~~
~~Statutory/Other Authority: ORS 418.005~~

~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0950

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0950~~
~~Insurance~~
~~(1) Traditional contractor insurance requirements. The coverage and limits of insurance required for a traditional contractor are specified in the contract. The Department requires a traditional contractor to provide proof that all required insurance is effective and in force before the SOC short-form contract can be executed.¶~~
~~(2) Nontraditional contractor insurance requirements.¶~~
~~(a) If a nontraditional contractor is providing a service that requires transporting the client, the Department requires the nontraditional contractor to provide proof of:¶~~
~~(A) A valid Oregon driver's license; and¶~~
~~(B) Automobile liability coverage that has limits not less than required by ORS 806.060. The nontraditional contractor must have automobile insurance in effect during the term of the SOC short-form contracts.¶~~
~~(b) The State of Oregon, through the Risk Management Division of the Department of Administrative Services provides nontraditional contractors with general liability insurance coverage including legal defense and excess automobile liability coverages. These coverages are provided to a nontraditional contractor, while acting within the course and scope of duties listed in the short-form contract, to the extent that a claim arises out of the provisions of services pursuant to the Short Form Contract's terms and statement of work. The provision of general liability coverage does not make the nontraditional contractor an agent of the Department or of the State of Oregon or subject the contractor to ORS 30.260 to 30.300 (the Oregon Tort Claims Act).¶~~
~~(c) The coverage described in subsection (b) of this section is not provided for acts, errors, or omissions due to malfeasance; for willful or wanton neglect of duty; for acts outside the short-form contract's specified scope of work; or for punitive damages.¶~~
~~(d) Following are the limits of coverage provided by the State to nontraditional contractors:¶~~
~~(A) $50,000 to a claimant for any number of claims for damage to or destruction of property, including consequential damages, arising out of a single accident or occurrence;¶~~
~~(B) $100,000 to a claimant as general and special damages for all other claims arising out of a single accident or occurrence;¶~~
~~(C) $200,000 for all claims arising out of a single accident or occurrence;¶~~
~~(D) The dollar limits for defense cost coverage are included in the above dollar limits. Once this dollar limit is reached, further defense costs are the responsibility of the nontraditional contractor.¶~~
~~(e) The nontraditional contractor must report, in writing, each claim and each occurrence that reasonably may give rise to a claim to the contract administrator, who will forward the information to the Risk Management Division as promptly as practicable.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

AMEND: 413-330-0960

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

413-330-0960
Dispute Resolution: Short-Form Contracts ¶

(1) When a short-form contract is used to contract with a nontraditional contractor, the child's case worker requests that the client sign a "Dispute Resolution Agreement." The client and the Department are parties to the "Dispute Resolution Agreement." The agreement provides a procedure to resolve disputes between the client and the nontraditional contractor. The client is encouraged to participate in good-faith in the dispute resolution process.¶
(2) The client's signature and participation in the dispute resolution process are voluntary.¶
(3) Dispute resolution between the client and a nontraditional contractor must be conducted in accordance with procedures established by the Department.
Statutory/Other Authority: ORS 418.005
Statutes/Other Implemented: ORS 279.727, 279.729

REPEAL: 413-330-0970

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0970~~
~~Criminal History Records Check for SOC Contractors~~
~~(1) The Department has determined that persons who engage in certain criminal conduct may not be qualified to be system-of-care contractors because their criminal conduct is fundamentally inconsistent with having any responsibility for the care, treatment, or supervision of children or other vulnerable persons.¶~~
~~(2) SOC contractors are subject to a criminal-history-records check as described in OAR 413-330-0085 to 413-330-0105 (see Child Welfare policy "System of Care Short Form Contracts," policy III-D.1.1.2). In the case of a non-traditional contractor, the Department will perform the check. If the SOC contractor is a business with more than one employee, the executive director, or equivalent, of the business is considered the contractor under those rules.¶~~
~~(3) Once the contractor has been approved and the contract has been executed, and prior to services being performed, the contractor must verify that each employee and each volunteer who will have contact with children in the course of their duties has not been convicted of child abuse, an offense against persons, a sexual offense, child neglect, or any other offense bearing a substantial relation to the qualifications, functions, or duties of an employee or volunteer who will have contact with children.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0980

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0980~~
~~DHS Abuse and Neglect Information Check~~
~~(1) To further protect children from abuse and neglect, the Department checks all SOC contractors against the Department's child abuse and neglect assessment information.¶~~
~~(2) The Department maintains the confidentiality of client information in accordance with its administrative rules on confidentiality, OAR 413-010-0000 to 413-010-0075.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-0990

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-0990~~
~~Unauthorized Services~~
~~The state is not obligated to pay for services obtained before the contract has been written, approved, and signed by the contractor and a representative of the Department who has contract approval authority. A Department employee who authorizes a service that requires a contract, prior to a contract being fully executed, or obtains a service not covered by a contract, may be held personally liable for the cost of the service.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-1000

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-1000~~
~~Delegation of Short-Form Contract Approval Authority~~
~~(1) Authority to approve short-form contracts is hereby delegated to the Administrator for Program Performance and Reporting.¶~~
~~(2) The Administrator for Program Performance and Reporting may delegate to a Child Welfare program manager or supervisor representing the SDA or the local office, upon written request, authority to approve SOC short-form contracts. The authority may be granted when the following conditions have been met:¶~~
~~(a) Management staff, including the Child Welfare program manager, line manager or supervisor, office manager or equivalent, and system-of-care resource developer or equivalent have received specific training regarding SOC short-form contract policy and procedure from Program Performance and Reporting staff and staff from the Department's Contracts and Procurement unit.¶~~
~~(b) The Child Welfare program manager has submitted an implementation plan to the Administrator for Program Performance and Reporting or the Administrator's delegate that describes how SOC short-form contracts will be processed at the local field office. The field office implementation plan may be submitted only after the management staff has received the SOC short-form contract training.¶~~
~~(c) Staff from the Program Performance and Reporting program have reviewed the implementation plans to ensure compliance with these administrative rules and sound business and fiscal practices.¶~~
~~(d) The Administrator for Program Performance and Reporting, or the Administrator's delegate, may, with consent of the Department's Office of Contracts and Procurement, delegate authority to approve SOC short-form contracts to a Child Welfare program manager or supervisor. The Administrator or the Administrator's delegate may delegate short-form contract approval authority only after the field office management staff has received training and the implementation plan has been approved. Once authority has been delegated, the Child Welfare program manager or supervisor is responsible for the proper processing and use of the SOC short-form contract. Except as authorized in OAR 413-330-1010, a Child Welfare program manager or supervisor cannot further delegate approval authority or contract responsibilities.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~

REPEAL: 413-330-1010

RULE SUMMARY: The child welfare rule changes that outline Strengthening, Preserving, and Reunifying Families (SPRF) funding were made to increase clarity and flexibility for districts by consolidating multiple funding streams - such as foster care prevention, SPRF, and system of care - into a single, unified source. These updates reflect a thorough review of the criteria and limitations for each stream and establish one simplified set of criteria that applies to all related funds.

CHANGES TO RULE:

~~413-330-1010~~
~~Responsibilities of Child Welfare Program Managers and Supervisors with Delegated Authority~~
~~(1) A Child Welfare program manager or supervisor with delegated approval authority is responsible for the following duties relating to SOC short-form contracts. The responsibility for the duties may or may not be further delegated by either as follows:¶~~
~~(a) A Child Welfare program manager or supervisor may delegate the duty:¶~~
~~(A) To determine whether a contractor is an independent contractor.¶~~
~~(B) To determine whether a contractor is a traditional or nontraditional SOC contractor.¶~~
~~(C) To determine whether a contractor has the required insurance.¶~~
~~(D) To negotiate the following contract conditions:¶~~
~~(i) Services;¶~~
~~(ii) Outcomes;¶~~
~~(iii) Contract begin date;¶~~
~~(iv) Contract end date;¶~~
~~(v) Contract payment rate and number of services units.¶~~
~~(E) To monitor and act as the Department's contract administrator for the SOC short-form contract.¶~~
~~(b) A Child Welfare program manager or supervisor cannot delegate the duty:¶~~
~~(A) To determine whether the services being contracted for are the same as services provided by Department staff.¶~~
~~(B) To determine whether the contractor has a criminal history record that would prevent the Department from contracting with the contractor (see OAR 413-330-0085 to 413-330-0097).¶~~
~~(C) To determine whether there are concerns or reasons why using the contractor may not be in the best interests of the child by checking the Department's child abuse and neglect assessment information.¶~~
~~(D) To sign and execute the short-form contract as the authorized agency representative. Services can begin only after the contractor and an authorized Child Welfare program manager or supervisor have both signed the short-form contract.¶~~
~~(E) To authorize payments due for the performance of contracted services.¶~~
~~(2) A Child Welfare program manager or supervisor may be held personally liable for the cost of services provided before an SOC short-form contract has been fully executed or for services provided outside the scope of the contract.~~
~~Statutory/Other Authority: ORS 418.005~~
~~Statutes/Other Implemented: ORS 279.727, 279.729~~