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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 413
DEPARTMENT OF HUMAN SERVICES
CHILD WELFARE PROGRAMS

FILED: 10/30/2026 10:10 AM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Strengthening Resource Parent Payments to Support Stable Placements for Children and Youth with High Needs

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:
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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: 9:00 AM - 9:30 AM
OFFICER: Ryan Schott

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 1-971-277-2343
CONFERENCE ID: 828757489
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: 227 254 326 056 841 5 Passcode: QW2tK3j4 or call in: +1-971-277-2343 Phone Conference ID: 828 757 489#
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):

Oregon Department of Human Services (ODHS) has been operating under a Temporary Lodging Agreement that is set to expire at the end of 2026. With this agreement ending, ODHS needs to strengthen rules regarding resource parent payments that support placements of children and youth with high needs, particularly in situations where achieving placement stability has been challenging. The rule update outlines the payment authority; the standard amount; and exceptions to that amount.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

There were no documents relied upon.

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

The proposed rule update clarifies resource parent payment authority, standard payment amounts, and allowable exceptions for children and youth with high needs. By supporting placement stability and promoting more consistent application of payments across placements, the rule is expected to improve access to needed supports for children and youth in foster care. Because children and families of color are disproportionately represented in Oregon's child welfare system, increased placement stability and clearer payment standards may help advance equitable outcomes. ODHS does not anticipate the rule will create disproportionate adverse impacts for any racial or ethnic group.

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):

All Oregon small businesses are invited to share their feedback during our notice period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:
413-090-0000, 413-090-0005, 413-090-0010, 413-090-0100, 413-090-0133, 413-090-0210, 413-090-0340

AMEND: 413-090-0000

RULE SUMMARY: Oregon Department of Human Services (ODHS) needs to strengthen rules regarding resource parent payments that support placements of children and youth with high needs, particularly in situations where achieving placement stability has been challenging. The new rule outlines the payment authority; the standard amount; and exceptions to that amount. Definitions added in this rule are: "Placement Support Payment" and "Resource Parent" and updated "Relative Resource Parent" definition.

CHANGES TO RULE:

413-090-0000
Definitions ¶

Unless the context indicates otherwise, the following definitions apply to rules in OAR chapter 413, division 90:¶
(1) "Absent day" means a calendar day that:¶
(a) The BRS client (see OAR 410-170-0020) is enrolled in but not physically present in the program of the BRS provider (see OAR 410-170-0020);¶
(b) Does not meet the definition of a billable care day (see OAR 410-170-0020);¶
(c) The Department's placement plan is to return the BRS client to the BRS provider; and¶
(d) The BRS contractor (see OAR 410-170-0020) or BRS provider obtains authorization from the BRS client's caseworker (see OAR 410-170-0020) and the contract administrator to bill the calendar day as an "absent day".¶
(2) "Abuse check" means obtaining and reviewing abuse allegations and abuse investigation reports and associated exhibits and documents for the purpose of determining whether a subject individual has a history as a perpetrator of potentially disqualifying abuse (a potentially disqualifying condition) as described in OAR 407-007-0290(11).¶
(3) "Adoption assistance payment" means a monthly payment made by the Department to the pre-adoptive family or adoptive family on behalf of an eligible child or young adult.¶
(4) "Background Check Unit (BCU)" means the Department of Human Services Background Check Unit.¶
(5) "Base rate payment" means a payment to the ~~foster~~resource parent or relative ~~c~~pare~~giver~~nt for the costs of providing the child or young adult with the following:¶
(a) Food, including the special or unique nutritional needs of the child or young adult;¶
(b) Clothing, including purchase and replacement;¶
(c) Housing, including maintenance of household utilities, furnishings, and equipment;¶
(d) Daily supervision, including teaching and directing to ensure safety and well-being at a level appropriate for the chronological age of the child or young adult;¶
(e) Personal incidentals, including personal care items, entertainment, reading materials, and miscellaneous items; and¶
(f) Transportation, including gas, oil, and vehicle maintenance and repair costs for local travel associated with providing the items listed above, and transportation to and from extracurricular, child care, recreational, and cultural activities.¶
(6) "CANS screening" means Child and Adolescent Needs and Strengths screening, a process of gathering information on the needs and strengths of a child or young adult for one or more of the following purposes:¶
(a) To identify case planning, service planning, and supervision needs of the child or young adult in substitute care with a certified family;¶
(b) To determine the level of care payment while in substitute care with a certified family; and¶
(c) To determine the level of care payment included in an adoption assistance agreement or guardianship assistance agreement.¶
(7) "CANS rescreen" means a type of CANS screening that is completed when a child or young adult is living with a certified family and the certified family has observed ongoing, documented changes in behavior or functioning which:¶
(a) Have not improved after a revision of the supervision actions and activities provided by the certified family and other individuals, and the last CANS screening was completed more than 90 days prior to the rescreen referral date; or¶
(b) Endanger the safety of the child or young adult or the safety of others and the last CANS screening was completed more than 90 days prior to the rescreen referral date; or¶
(c) The child or young adult has undergone a major life event or transition.¶
(8) "Certified resource family" means an individual or individuals who hold a current Certificate of Approval from the Department to operate a home to provide care, in the home in which the individual or individuals reside, to a child or young adult in the care or custody of the Department.¶
(9) "Chafee housing payment" means a payment to assist in covering the costs of room and board made to an eligible individual between 18 and 23 years of age who was discharged from the care and custody of the

Department or one of the federally recognized tribes on or after reaching 18 years of age.¶
(10) "Child" means a person who:¶
(a) Is a person under 18 years of age; or¶
(b) Is a child in care, as defined in ORS 418.257, is a person under 21 years of age residing in or receiving care or services from:¶
(A) A child-caring agency or proctor foster home;¶
(B) A home certified by the Department; ¶
(C) A supervised independent living placement or¶
(D) A developmental disabilities residential facility; unless¶
(E) The care is being provided to the child by the child's parent. ¶
(11) "Child in care" means a person who is under 21 years of age who is residing in or receiving care or services from a child caring agency or proctor foster home.¶
(12) "Child-caring agency" is defined in ORS 418.205 and means a "child-caring agency" that is not owned, operated, or administered by a governmental agency or unit.¶
(13) "Clothing replacement allowance" means an allowance included in the substitute care maintenance payments to a provider to cover the cost of maintaining adequate clothing for each child or young adult in the substitute care maintenance payments to the provider.¶
(14) "Contract administrator" means the employee or other individual designated in writing by the Department, by name or position description, to conduct the contract administration of a contract or class of contracts.¶
(15) "Contract registered nurse" means a licensed registered nurse under a contract with the Department who provides nursing assessment, consultation, teaching, delegation, or on-going nursing services to a child or young adult in the care or custody of the Department.¶
(16) "Criminal records check" means obtaining and reviewing criminal records as required by these rules and includes any or all of the following:¶
(a) An Oregon criminal records check in which criminal offender information is obtained from the Oregon State Police (OSP) using the Law Enforcement Data System (LEDS). An Oregon criminal records check may also include a review of other criminal records information obtained from other sources.¶
(b) A national criminal records check in which records are obtained from the Federal Bureau of Investigation (FBI) through the use of fingerprint cards sent to OSP and other identifying information. A national criminal records check may also include a review of other criminal records information.¶
(c) A state-specific criminal records check where records are obtained from law enforcement agencies, courts, or other criminal records information resources located in, or regarding, a state or jurisdiction outside Oregon.¶
(17) "Delegated nursing task" means a task, normally requiring the education and license of a registered nurse (RN) and within the RN scope of practice to perform, that an RN authorizes an unlicensed person to perform.¶
(18) "Department" means the Oregon Department of Human Services, Child Welfare.¶
(19) "Dependent parent" means a child or young adult in the legal custody of the Department who is the parent of a child.¶
(20) "Enhanced shelter care payment" means a limited term payment provided to a certified family when a child or young adult in the care or custody of the Department moves to a certified family's home from a placement with a BRS provider and there is no current level of care determination applicable to the child or young adult.¶
(21) "Enhanced supervision" means the additional support, direction, observation, and guidance necessary to promote and ensure the safety and well-being of a child or young adult when the child or young adult qualifies for a level of care payment.¶
(22) "Foster care payments" means one or more of the following payments to a certified family, authorized at rates established by the Department, for the board and care of a child or young adult for whom the Department has placement and care responsibility:¶
(a) The base rate payment;¶
(b) The level of care payment, if any;¶
(c) Shelter care payment or enhanced shelter care payment;¶
(d) Mileage reimbursement, paid at the current Department mileage reimbursement rate to child welfare staff, for transportation of a child or young adult remaining in the same school he or she was attending prior to placement in substitute care; and¶
(e) The board and care of the child of a dependent parent, unless the dependent parent receives cash benefits under a program administered by the Department of Human Services under chapter 461 of the Oregon Administrative Rules.¶
(23) "Guardian" means an individual who has been granted guardianship of the child through a judgment of the court.¶
(24) "Guardianship assistance agreement" means a written agreement, binding on the parties to the agreement, between the Department and the potential guardian or guardian setting forth the assistance the Department is to

provide on behalf of the child or young adult, the responsibilities of the guardian and the Department, and the manner in which the agreement and amount of assistance may be modified or terminated.¶
(25) "Independent living housing subsidy" means a payment to assist in covering the cost of room, board, or other monthly expenses made to an eligible individual who is at least 16 years of age and is in the care and custody of the Department and living independently.¶
(26) "Legally responsible relative" means the parent or stepparent of a child or young adult or a person related to the child or young adult by blood or marriage who has legal custody or legal guardianship of the child or young adult.¶
(27) "Level of care payment" means the payment provided to an approved or certified family, a guardian, a pre-adoptive family, or an adoptive family based on the need for enhanced supervision of the child or young adult as determined by applying the CANS algorithm to the results of the CANS screening.¶
(28) "Level of personal care payment" means the payment to a qualified provider for performing the personal care services for an eligible child or young adult based on the child's or young adult's need for personal care services as determined by applying the personal care services algorithm to the results of the personal care services rating scale.¶
(29) "Other criminal records information" means information obtained and used in the criminal records check process that is not criminal offender information from OSP. "Other criminal records information" includes, but is not limited to, police investigations and records, information from local or regional criminal records information systems, justice records, court records, information from the Oregon Judicial Information Network, sexual offender registration records, warrants, Oregon Department of Corrections records, Oregon Department of Transportation Driver and Motor Vehicle Services Division information, information provided on the background check requests, disclosures by a subject individual, and any other information from any jurisdiction obtained by or provided to the Department for the purpose of conducting a fitness determination.¶
(30) "Personal Care Nurse Coordinator" means a registered nurse (RN) who is a licensed registered nurse employed by the Department to provide oversight of contract registered nurses and personal care services authorized through the Department.¶
(31) "Personal care services" means the provision of or assistance with those functional activities described in OAR 413-090-0120 consisting of mobility, transfers, repositioning, basic personal hygiene, toileting, bowel and bladder care, nutrition, medication management, and delegated nursing tasks that a child or young adult requires for his or her continued well-being.¶
(32) "Personal care services assessment" means an evaluation by a registered nurse of a child or young adult's ability to perform the functional activities required to meet the child or young adult's daily needs.¶
(33) "Personal care services plan" means a written plan to provide personal care services for the child or young adult documenting:¶
(a) The determination that the individual is a qualified provider;¶
(b) The frequency or intensity of each personal care service to be provided; and¶
(c) The date personal care services begin.¶
(34) "Placement Support Payment" refers to an additional authorized payment, approved by the Resource Management Director or their designee, reviewed every 30 days, and provided to a Resource Parent or Relative Resource Parent for a child in the care or custody of the Department who is placed in that home. ¶
(35) "Potential guardian" means an individual who:¶
(a) Has been approved by the Department or participating tribe to be the guardian of a child or young adult; and¶
(b) Is in the process of legalizing the relationship to the child through the judgment of the court.¶
(3~~5~~6) "Pre-adoptive family" means an individual or individuals who:¶
(a) Has been selected to be a child's adoptive family; and¶
(b) Is in the process of legalizing the relationship to the child through the judgment of the court.¶
(3~~6~~7) "Proctor foster home" means a foster home certified by a child-caring agency that is not subject to ORS 418.625 to 418.645.¶
(3~~7~~8) "Qualified provider" means an individual who:¶
(a) Is authorized by the Department through the contract registered nurse or Personal Care Nurse Coordinator;¶
(b) Demonstrates by background, skills, and abilities the capability to safely and adequately provide the authorized personal care services;¶
(c) Maintains a drug-free household;¶
(d) Has been approved through the background check process described in OAR 413-208-0000 to 413-208-0035 or under OAR 407-007-0200 to 407-007-0370; and¶
(e) Is not the parent, step-parent, or legally responsible relative of the child or young adult eligible for personal care services.¶
(3~~8~~9) "Registered nurse" means an individual licensed and registered to practice nursing.¶
(~~39~~40) "Re~~lative R~~source parent" means a person who operates a home that has been approved by the Department

to provide care for an unrelated child in the care or custody of the Department. In these rules, a resource parent is a foster parent under ORS 418.016, 418.625, 418.640 and 418.648.¶
(41) "Relative resource ~~P~~parent" means a person defined as a "relative" under OAR 413-070-0000 who operates a home that has been approved by the Department to provide care for a related child ~~or young adult~~ placed in the home by the Department. A "relative resource parent" is a "relative caregiver" as that term is used in ORS chapter 418.¶
(4~~0~~2) "Respite care" means an arrangement to relieve a family with an open child welfare case or a certified resource family of their responsibilities by a person temporarily assuming responsibility for the care and supervision of a child or young adult.¶
(4~~1~~3) "SAIP" means Secure Adolescent Inpatient Program.¶
(4~~2~~4) "SCIP" means Secure Children's Inpatient Program.¶
(4~~3~~5) "Shelter care payment" means a payment provided to a certified family during the first 20 days of substitute care for a child or young adult in the care or custody of the Department.¶
(4~~4~~6) "Subject individual" means an individual described in OAR 407-007-0030(30)(a).¶
(a) For the purposes of these rules, a "subject individual" also includes:¶
(A) An individual who provides respite care (see OAR 410-170-0020) for an approved provider parent (see OAR 410-170-0020);¶
(B) An individual who volunteers with or is employed by an approved provider parent to assist with the care of a BRS client, other than an individual who provides babysitting unless paragraph (D) of this subsection applies;¶
(C) An individual 18 years of age or older who is living in the home of an approved provider parent;¶
(D) An individual under 18 years of age who is living in the home of an approved provider parent if there is reason to believe the individual may pose a risk to a BRS client;¶
(E) An individual who provides babysitting or an individual who frequents the home of an approved provider parent if there is reason to believe the individual may pose a risk to a BRS client; and¶
(F) An individual who has access to a BRS client in the home of an approved provider parent if the contract administrator has requested a criminal records check on the individual.¶
(b) The following individuals are not subject individuals:¶
(A) A child or young adult in the care or custody of the Department who lives in the home of the approved provider parent; and¶
(B) A BRS client.¶
(4~~5~~7) "Transitional visit" means an overnight visit by the BRS client to another placement for the purpose of facilitating the BRS client's transition.¶
(4~~6~~8) "Young adult" means a person aged 18 through 20 years.
Statutory/Other Authority: ORS 418.005
Statutes/Other Implemented: ORS 418.005

AMEND: 413-090-0005

RULE SUMMARY: Updating the purpose to include the Level of Care Payment and Placement Support Payment to a Resource Parent or Relative Resource Parent.

CHANGES TO RULE:

413-090-0005
Purpose ¶

The purpose of OAR 413-090-0005 to 413-090-0050 is to describe the responsibilities of the Department for payment of the following ~~costs~~ on behalf of a child or young adult. ¶
(1) A foster care ~~maintenance p~~payment to a/Resource Parent/or/Relative Resource Parent;¶
(2) A Level of Care Payment to a Resource Parent or Relative Resource Parent;¶
(3) A Placement Support Payment to a Resource Parent or Relative Resource Parent;¶
(~~2~~4) An independent living housing subsidy to an eligible child or young adult who is in the legal custody of the Department, living independently; and ¶
(~~3~~5) A Chafee housing payment to an eligible individual.
Statutory/Other Authority: ORS 418.005
Statutes/Other Implemented: ORS 418.005

AMEND: 413-090-0010

RULE SUMMARY: ODHS needs to strengthen rules regarding resource parent payments that support placements of children and youth with high needs, particularly in situations where achieving placement stability has been challenging. The rule outlines the payment authority; the standard amount; and exceptions to that amount. Added (4) Placement Support Payments.

CHANGES TO RULE:

413-090-0010
Authorized Payments ¶

(1) Family Foster Care.¶
(a) Shelter care payment. The Department reimburses a certified family a shelter care payment on behalf of a child or young adult during the first 20 days of substitute care in a certified family home after the Department has obtained physical or legal custody of the child or young adult. The daily shelter care payment is:¶
(A) $39.38 for a child 5 years or younger;¶
(B) $39.55 for a child 6 through 12 years of age; and¶
(C) $41.49 for a child or young adult 13 through 20 years of age.¶
(b) Base rate payment. The Department reimburses a resource parent and relative resource parent a base rate payment on behalf of a child or young adult in the Department's physical or legal custody when a child or young adult is placed in the certified family's home.¶
(A) Payment is made monthly or prorated for a portion of a month, when the base rate payment is for less than all days in the month, and made after the month in which the care has been provided.¶
(B) The base rate payment starts on day 21 of a child's placement in substitute care and includes the day the child or young adult enters the home, but excludes the day the child or young adult leaves the home.¶
(C) The base rate payment amount.¶
(i) $958.00 for a child 5 years or younger;¶
(ii) $963.00 for a child 6 through 12 years of age; and¶
(iii) $1022.00 for a child or young adult 13 through 20 years of age.¶
(D) The Department does not reimburse the base rate payment to a certified family when reimbursement for shelter care payment or enhanced shelter care payment applies.¶
(c) Enhanced shelter care payment. The Department reimburses a certified family an enhanced shelter care payment rate on behalf of a child or young adult during the first 20 days of substitute care with a certified family after a child or young adult has been in placement with a Behavior Rehabilitation Service provider and there is no current level of care payment determination applicable to the child or young adult. The daily enhanced shelter care payment is:¶
(A) $63.05 for a child 5 years or younger;¶
(B) $63.21 for a child 6 through 12 years of age; and¶
(C) $65.15 for a child or young adult 13 through 20 years of age.¶
(d) Mileage reimbursement. The Department reimburses a certified family for mileage, paid at the current Department mileage reimbursement rate paid to child welfare staff, when the certified family must provide transportation for a child or young adult in order to remain in the same school the child or young adult was attending prior to placement in substitute care.¶
(2) The Department issues a Chafee housing payment or an independent living housing subsidy to an eligible individual up to a maximum of the base rate payment amount for a child or young adult 13-20 years of age per month of eligibility pursuant to OAR 413-030-0400 to 413-030-0460.¶
(3) Level of care payment.¶
(a) The Department reimburses a level of care payment to a certified family on behalf of a child or young adult when the CANS screening results indicate the child or young adult has enhanced supervision needs.¶
(b) The initial level of care payment to a certified family begins:¶
(A) No earlier than the twenty first day of substitute care; or¶
(B) Ninety days prior to the date an initial CANS screening was approved for a child or young adult in substitute care over 111 days.¶
(c) A level of care payment to a certified family may commence the first day following the end of enhanced shelter care payment.¶
(d) A CANS rescreen level of care payment to a certified family begins the first day of the month the CANS rescreen was submitted to the Level of Care Manager for approval.¶

(e) The Level of Care Program Manager or the designee may approve commencing the level of care payment beyond the timeframes in subsections (b), (c) and (d) of this section when a delay in scheduling, completing, scoring or approving the CANS screening results in a potential loss or interruption of a level of care payment.¶
(f) A CANS screener rates each element of a child or young adult's behavior and functioning through the CANS screening on a scale of zero to three and the ratings determine whether a child or young adult meets the criteria for one of three levels of care. These ratings are determined using the following exhibits, which by this reference are incorporated into this rule:¶
(A) DHS 9601: Child and Adolescent Needs and Strengths Comprehensive Screening Tool Ages Birth through 5, adopted January 5, 2009, and revised in November 2017 (Exhibit 1).¶
(B) DHS 9602: Child and Adolescent Needs and Strengths Comprehensive Screening Tool Ages 6 through 20, adopted January 5, 2009, and revised in November 2017 (Exhibit 2).¶
(C) Child and Adolescent Needs and Strengths Algorithm, adopted February 9, 2009, and revised in November 2017 (Exhibit 3).¶
(D) The Department maintains the exhibits referenced in (f) of this section on the Department's website. Printed copies of these exhibits may be obtained by contacting the Department of Human Services, Office of Child Welfare Programs, ATTN: Level of Care Manager, 500 Summer Street NE, E93, Salem, OR 97301.¶
(g) The level of care payment is:¶
(A) $240.00 per month for Level 1 (moderate needs).¶
(B) $468.00 per month for Level 2 (intermediate needs).¶
(C) $960.00 per month for Level 3 (advanced needs).¶
(4) Placement Support Payment. ¶
(a) When the Resource Management Director or designee determines that additional funds are needed to maintain placement stability a Placement Support Payment may be authorized. This determination is based upon an assessment that includes: ¶
(A) The identification of a child who does not have an identified placement or who is at risk of a placement disruption;¶
(B) There are no alternative placements available; or ¶
(C) A recommended level of care has been denied or is not available. ¶
(b) Payment. ¶
(A) A Placement Support Payment/is issued at a nightly rate of $300. ¶
(B) The/Placement Support/Payment is in addition to the Base Rate payment and a Child and Adolescent Needs and Strengths (CANS) level-of-care payment./ ¶
(C) The/Placement Support/Payment may not replace any other authorized payment category./ ¶
(c) /A/Placement Support Payment may be authorized to a resource parent or relative resource parent when:/ ¶
(A) The/resource parent or relative resource parent holds a current Certificate of Approval, Child Specific Non-Relative Certificate of Approval, Child Specific Non-Relative Temporary Certificate of Approval, Relative Certificate of Approval or Relative Temporary Certificate of Approval; ¶
(B) The child's specific placement needs have been documented by the child's caseworker; and/ ¶
(C) The Resource Management Director or designee authorizes the payment. ¶
(d) Notwithstanding 413-090-0010(4)(b)(A), in extraordinary circumstances, the Resource Management Director or designee may authorize an amount that exceeds $300 per day. Extraordinary circumstances include, but are not limited to the: ¶
(A) Child's placement is unstable with the standard Placement Support Payment. ¶
(B) Child has been approved for a higher level of care and is awaiting placement. ¶
(C) Child has been discharged from a higher level of care and their complex needs require a level of supervision beyond what is possible to provide with a standard Placement Support Payment. ¶
(e) Review and Termination. ¶
(A) The child's/assigned/caseworker/or/designee must review the child's placement needs during every face-to-face contact, document the child's needs, and provide the documentation to the/Resource Management/Director or/designee/a minimum of every 30 days./ ¶
(B) The Resource Management Director or designee/must review the child's circumstances/reported by the child's caseworker or designee/at least once every/30/days to confirm whether the payment continues to support placement stability./ ¶
(C) If/the/review/indicates/that the/payment/is/no longer needed, or if the child's circumstances change/and/the/Placement Support/Payment no longer aligns with/the child's/needs, the/Placement Support Payment must/end/at the conclusion of the current payment cycle/or placement/end, whichever/occurs first./¶
(5) The Department reimburses a certified family an applicable base rate payment for a child of a dependent parent when both are living with the certified family unless the dependent parent receives a TANF grant under programs administered by the Department of Human Services under chapter 461 of the Oregon Administrative Rules or has

other means of financial support. ¶
(~~5~~6) Child care.¶
(a) The reimbursement for child-care costs to a certified family on behalf of a child is authorized when:¶
(A) The child care is required due to the certified family's employment, or; ¶
(B) The certified family attends college or other educational program and the child care is needed while they are attending classes. If the certified family is two certified adults, both adults must be employed or attending an educational program.¶
(C) If circumstances, other than (A) or (B) above, exist that necessitate child care a Child Welfare supervisor may approve child care.¶
(b) The child care setting must be approved by Child Welfare. Types of approved child care providers include licensed child care facilities, before and after school programs, government programs, and in-home providers that are exempt from a license requirement. Approval of an individual who is exempt from a child care license requirement must be approved as required by OAR 413-200-0281.¶
(c) Child care reimbursement may be authorized for a child up to the age of 12. Child care reimbursement may be authorized for a child or young adult older than the age of 12 if supervision is required and the reimbursement is approved by a Child Welfare Supervisor.¶
(d) Authorization for the reimbursement for child-care services must be documented on the Child Welfare ~~Foster~~Resource Parent or Relative ~~Caregiver~~Resource Parent Child Care Authorization.¶
(e) The amount of the child care reimbursement to the certified family must not exceed $375 per child per month.¶
(f) Child care reimbursements must not be made once an Adoption Assistance or Guardian Assistance agreement is in place.¶
(g) Child care reimbursements may be made on behalf of a child or young adult placed by Child Welfare in another state under the ICPC, or placed in Oregon under the ICPC in an Oregon child welfare certified home, if the sending state does not provide child care assistance.¶
(h) Child care reimbursements may be made on behalf of a child or young adult placed in a home certified by a tribe, who otherwise qualifies, if Child Welfare has custody of the child or young adult.¶
(6) Payments prohibited. The Department must not authorize a maintenance payment for the care of a child or young adult to more than one certified family per day.¶
(7) A payment by the Department under this rule is inalienable by any assignment or transfer and exempt from execution, levy, attachment, and garnishment under the laws of the state of Oregon.
Statutory/Other Authority: ORS 418.005, ORS 418.340, ORS 409.050
Statutes/Other Implemented: ORS 418.005, ORS 418.340, ORS 418.330, ORS 418.335, ORS 418.470, ORS 418.625

AMEND: 413-090-0100

RULE SUMMARY: Rule is being updated to update language from "foster parent" to "resource parent" and "relative foster parent" to "relative resource parent".

CHANGES TO RULE:

413-090-0100
Purpose ¶

The purpose of these rules, OAR 413-090-0100 to 413-090-0210, is to describe the requirements for eligibility and receipt of personal care services when a child or young adult is placed with a ~~foster~~resource parent or relative ~~caregiver~~resource parent by the Department.
Statutory/Other Authority: ORS 418.005
Statutes/Other Implemented: ORS 418.005

AMEND: 413-090-0133

RULE SUMMARY: Rule is being updated to update language from "foster parent" to "resource parent" and "relative foster parent" to "relative resource parent".

CHANGES TO RULE:

413-090-0133
Conducting a Personal Care Services Assessment ¶

(1) When a child or young adult with a diagnosed physical or mental impairment appears to require personal care services and the caseworker becomes aware of the apparent need for personal care services, the caseworker must refer the child or young adult to the contract registered nurse or the Personal Care Nurse Coordinator for an assessment.¶
(2) When a child or young adult with an approved personal care services assessment or an existing personal care services plan moves to a new ~~foster~~resource parent or relative ~~caregiver~~resource parent, the caseworker must refer the child or young adult to the contract registered nurse or the Personal Care Nurse Coordinator for an assessment.¶
(3) Upon receipt of a referral, the contract registered nurse, program nurse consultant or manager must conduct a personal care services assessment.¶
(4) To conduct the personal care services assessment, the contract registered nurse, program nurse consultant or manager must:¶
(a) Review available medical records of the child or young adult;¶
(b) Meet with the child or young adult and the ~~foster~~resource parent or relative ~~caregiver~~resource parent;¶
(c) Gather information about the child or young adult's condition and functioning;¶
(d) Assess the child or young adult's ability to perform functional activities necessary to meet his or her daily needs at a level appropriate for the child or young adult's chronological age;¶
(e) Document the findings of the personal care services assessment using the Department's Personal Care Services Assessment form that is applicable to the age of the child or young adult; and¶
(f) Submit the completed personal care services assessment to the Personal Care Nurse Coordinator.¶
(5) The Personal Care Nurse Coordinator must:¶
(a) Review the findings of the personal care services assessment;¶
(b) Apply the rating scale in Exhibit 4 to the personal care services assessment;¶
(c) Determine whether the child or young adult meets the threshold for a level of personal care payment;¶
(d) Determine the level of personal care payment; and¶
(e) When the personal care services assessment scores a child or young adult's level of personal care needs at Level 4 based on the rating scale in Exhibit 4, determine the additional payment and the intensive personal care services required to meet the child or young adult's identified needs, which may involve consulting with the ~~foster~~resource parent, relative ~~caregiver~~resource parent, or others involved in the child or young adult's care.¶
(6) The responsibilities set forth in section (5) of this rule may be conducted by another medical professional employed by or under contract with the Department when the Personal Care Nurse Coordinator is unavailable.
Statutory/Other Authority: ORS 409.050, ORS 418.005
Statutes/Other Implemented: ORS 409.010, ORS 418.005, ORS 418.015

AMEND: 413-090-0210

RULE SUMMARY: Rule is being updated to update language from "foster parent" to "resource parent" and "relative foster parent" to "relative resource parent".

CHANGES TO RULE:

413-090-0210
Termination of Personal Care Services and Payments ¶

(1) Personal care services provided to a child or young adult are terminated when the child or young adult no longer meets the eligibility requirements under OAR 413-090-0130 or the child or young adult moves.¶
(2) Personal care services payments are made to the qualified provider as described in OAR 413-190-0150 until a personal care services plan is terminated or the date the child or young adult is no longer in the care of the ~~foster~~resource parent or relative ~~caregiver~~resource parent, whichever is earlier.
Statutory/Other Authority: ORS 409.050, ORS 418.005
Statutes/Other Implemented: ORS 409.010, ORS 418.005, ORS 418.015

AMEND: 413-090-0340

RULE SUMMARY: Rule is being updated to update language from "foster parent" to "resource parent" and adding "relative resource parent".

CHANGES TO RULE:

413-090-0340
Transportation ¶

The agency may pay for non medical transportation not to exceed current Department mileage rates paid to Department staff. Reasonable travel to the child's home for visitation is a Title IV E allowable expense. All other transportation expenses are billed to General Fund:¶
(1) Visitation: When family visitation is part of the service plan, the ~~foster~~resource parent or relative resource parent may be reimbursed for providing transportation to and from visits. When the child or young adult is in a residential care and treatment facility and the written treatment plan includes visitation with parents or relatives, the cost of the visits are expected to be shared by the Department, service provider, and child's family. Negotiations with the provider and the child's family to determine Department cost are made in advance of the visits.¶
(2) School: When the child or young adult is in family foster care and the school district does not provide transportation, the ~~foster~~resource parent or relative resource parent~~s~~ may be reimbursed for providing transportation or for city bus passes when appropriate.¶
(3) In state transportation by airline for children is approved only if the cost of the air fare does not exceed all the actual costs of transportation by car.
Statutory/Other Authority: ORS 418.005
Statutes/Other Implemented: ORS 418.005