

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on [upon filing] by the
Date prior to or same as filing date

Department of Human Services, Seniors and People with Disabilities Division 411
Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone
to become effective [July 1, 2009]. Rulemaking Notice was published in the [June 2009] Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Clackamas County-Issued Adult Foster Home License, Transition to State Licensing
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:
411-050-0499

AMEND:

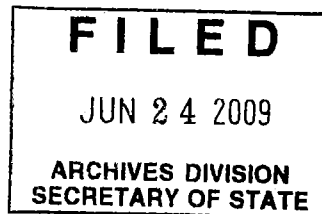
REPEAL:

AMEND & RENUMBER:

Stat. Auth.: ORS 443.775

Other Auth.:

Stats. Implemented: ORS 443.705 – 443.825



RULE SUMMARY

The Department of Human Services (DHS), Seniors and People with Disabilities Division is permanently adopting OAR 411-050-0499 to transition the adult foster home licensing and inspection program from Clackamas County to DHS on July 1, 2009.

Catherine A. Cooper
Signature

6/24/09
Date

Catherine A. Cooper
Printed Name

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005

SPD 5-2009

**DEPARTMENT OF HUMAN SERVICES
SENIORS AND PEOPLE WITH DISABILITIES DIVISION
OREGON ADMINISTRATIVE RULES**

**CHAPTER 411
DIVISION 50**

ADULT FOSTER HOMES

411-050-0499

Clackamas County-Issued Adult Foster Home License, Transition to State Licensing

- (1) The purpose of this rule is to transition the adult foster home licensing and inspection program from Clackamas County to the Department of Human Services on July 1, 2009 and to allow time for existing Clackamas County licensed providers to come into compliance with SPD licensing standards. This rule only applies to adult foster homes in Clackamas County that were licensed by Clackamas County prior to July 1, 2009.
- (2) SPD shall recognize an adult foster home license issued by Clackamas County Social Services Division pursuant to ORS 443.780 as a valid license to operate an adult foster home on and after July 1, 2009 until the expiration date of the license. At least 60 days prior to the expiration of the license, Clackamas County licensees must renew their adult foster home license with SPD pursuant to, and in accordance with ORS 443.705 to 443.825 and OAR chapter 411, division 050 requirements.
- (3) Beginning on July 1, 2009, inspections or investigations may be conducted by SPD or its designee pursuant to OAR 411-050-0450.
 - (a) For purposes of license renewals, SPD shall issue a new license to an applicant if the home is in compliance with ORS 443.705 to 443.825 and OAR chapter 411, division 050 requirements.
 - (b) At the request of a licensee, or upon an inspection or investigation of a complaint, if licensee is not in compliance with OAR chapter 411, division 050 requirements, the licensee may request an exception from the administrative requirements pursuant to OAR 411-050-0430.
 - (c) In determining whether to grant an exception, SPD shall consider, in addition to the standards set forth in OAR 411-050-0430, whether the applicant or licensee would have met any comparable Clackamas County licensing requirement or was granted an exception or waiver from the county requirement. An exception granted under OAR 411-050-0430 pursuant to this rule may be issued with an effective date of July 1, 2009, or such later date as SPD determines appropriate.

- (4) This rule shall be effective until December 31, 2010.

Stat. Auth.: ORS 443.775

Stats. Implemented: ORS 443.705 – 443.825