

Policy Transmittal Vocational Rehabilitation



Matt Baldwin, Policy & Training Manager
Authorized signature

Number: VR-PT 19-01
Issue date: 07/05/2019

Topic: Other

Due date: 07/05/2019

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Vocational Rehabilitation |
| <input type="checkbox"/> ODDS Children’s Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Industrial Hemp and Employment Assistance from Oregon Vocational Rehabilitation		
Policy/rule number(s):	VR-PT 19-01	Release number:	
Effective date:	07/05/2019	Expiration date:	
References:	H.R.2 - Agriculture Improvement Act of 2018 (now Public Law No: 115-334) Sec. 7129. Supplemental and alternative crops; hemp. Sec. 7605. Legitimacy of industrial hemp research. Sec. 10113. Hemp production. VR-IM 15-5 No assistance for Vocational Rehabilitation participants in employment related to production, sale, or distribution of marijuana.		

Web address:	<p>Public Law No. 115-334 (effective 8/21/2020) https://www.federalregister.gov/documents/2020/08/21/2020-17356/implementation-of-the-agriculture-improvement-act-of-2018#:~:text=The%20Agriculture%20Improvement%20Act%20of%202018%2C%20Public%20Law,listing%20of%20tetrahydrocannabinols%20under%2021%20U.S.C.%20812%20%28c%29</p> <p>VR-IM 15-5 No assistance for Vocational Rehabilitation participants in employment related to production, slae, or distribution of marijuana (effective 6/29/2015) https://www.oregon.gov/dhs/EMPLOYMENT/VR/PolicyRuleDocs/VR-IM-15-05-Marijuana-Related-Employment.pdf</p>
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Discussion/interpretation:

There have been questions from the field asking if VR will support employment in the hemp industry with the federal passage of the Agriculture Improvement Act of 2018 (Public Law No:115-334) that was signed into law 12/20/2018.

Hemp has a very specific definition and should not be confused with marijuana or cannabis which continues to be a federal, Schedule I drug that is illegal. This bill has no effect on state-legal cannabis programs which are illegal under federal law. There are no exceptions. (VR does not support employment in state-legal cannabis programs. See [VR-IM 15-5 No assistance for Vocational Rehabilitation participants in employment related to production, sale, or distribution of marijuana.](#))

VR is not prohibited from supporting employment in an industrial hemp business.

Definitions

SEC. 10113. subtitle G SEC. 297A. Definitions. states:

(1) HEMP. —The term “hemp” means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

Any part of the cannabis plant that contains more than 0.3 percent THC (delta-9 tetrahydrocannabinol concentration) would be considered non-hemp cannabis (marijuana) under federal law and have no legal protection under this new legislation.

SEC. 297B. STATE AND TRIBAL PLANS. “(3) OTHER VIOLATIONS. (B) FELONY. (H.R. 2- 422-423)

(i) IN GENERAL. —Except as provided in clause (ii), any person convicted of a felony relating to a controlled substance under State or Federal law before, on, or after the date of enactment of this subtitle shall be ineligible, during the 10-year period following

the date of the conviction—

(I) to participate in the program established under this section or section 297C; and
(II) to produce hemp under any regulations or guidelines issued under section 297D(a).

(ii) EXCEPTION. —Clause (i) shall not apply to any person growing hemp lawfully with a license, registration, or authorization under a pilot program authorized by section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940) before the date of enactment of this subtitle.

Active Registrations or Licenses of Hemp

The Oregon Hemp Program [website](#) has a growing amount of information about this industry.

Active business licenses in the Oregon Hemp industry can be searched at this [website](#).

References

H.R.2 - Agriculture Improvement Act of 2018 (now Public Law No: 115-334)

Sec. 7129. Supplemental and alternative crops; hemp.

Sec. 7605. Legitimacy of industrial hemp research.

Sec. 10113. Hemp production.

VR-IM 15-5 No assistance for Vocational Rehabilitation participants in employment related to production, sale, or distribution of marijuana (effective 6/29/2015).

Implementation/transition instructions: This policy is effective immediately.

Training/communication plan:

- Reviewed at Leadership meeting with Branch Managers, June 12, 2019
- Electronic release through VR.Policy@dhsosha.state.or.us July 5, 2019
- Supervisors: review and discuss transmittal with field staff.
- Field Staff: review and discuss transmittal and address questions to supervisors.
- Supervisors: after field level review and discussion of the transmittal, send consolidated requests for clarification to VR Policy.

- VR Policy: provide clarification. Q&A teleconference & Skype session scheduled for July 17, 2019, 9:30 to 11 am. Submit your questions to VR.Policy@dhsoha.state.or.us prior to or during the meeting.

Local/branch action required:

Branch managers will discuss with staff. VR is not prohibited from supporting employment in an industrial hemp business. Search the data base for business's license designating as a hemp business.

VR does not support employment in state-legal cannabis programs.

Central office action required:

Implement the training and communication plans. Place VR-PT 19-01 on the Oregon Vocational Rehabilitation internet page for policy.

Field/stakeholder review: Yes No

If yes, reviewed by: State Rehabilitation Council Policy Committee; Oregon Vocational Rehabilitation counselors.

Filing instructions: This information will be placed in the Field Guide in a new section, "Labor Market," for future reference.

If you have any questions about this policy, contact:

Contact(s): VR.Policy@dhsoha.state.or.us	
Phone:	Fax:
Email: VR.Policy@dhsoha.state.or.us	