

Adult Foster Home Provider Alert

Policy updates, rule clarifications and announcements

Date: March 20, 2017

Topic: **Settlement Agreement Policy**

To: APD (Older Adults and Adults with Physical Disabilities)

Attached to this Provider Alert is a letter from Aging and People with Disabilities and the Safety, Oversight and Quality unit. This letter outlines the Department's new policy regarding settlement agreements.



Oregon

Kate Brown, Governor

Department of Human Services

Aging and People with Disabilities

Safety, Oversight and Quality Unit

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March 17, 2017



Dear Providers, Partners and Stakeholders,

As you know, last year the Department of Human Services made an organizational change to split the office formerly known as the Office of Licensing and Regulatory Oversight (OLRO), and to bring certain facility licensing functions back within their respective programs. The Aging and People with Disabilities (APD) Program will now oversee all APD facility licensing functions formerly housed within OLRO. The unit within APD that is dedicated to this work is the Safety, Oversight and Quality (SOQ) unit.

Providers should experience little to no change in staff as a result of this reorganization; however, this change has offered SOQ staff an opportunity to begin a review and update of licensing practices, policies and procedures. SOQ staff want to ensure they continue to support the overall goals of resident safety, choice, independence, and dignity through communication, collaboration and effective corrective action (when needed) with providers to ensure compliance with licensing laws and regulations.

One change being made relates to settlement agreements negotiated prior to a request for an informal conference or request for a hearing. After careful review and consideration, **effective March 20, 2017**, SOQ will no longer enter into settlement agreement negotiations with providers/licensees before an informal conference or request for hearing has occurred.

SOQ will, however, consider entering into a settlement agreement with a facility/licensee if:

- supplemental information is received from that facility/licensee that alters the Department's course of action, either before or at an informal conference OR
- during the course of negotiations during the hearing process

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Please note that SOQ highly encourages facilities/licensees to present supplemental information for Department consideration as soon as possible following receipt of a notice of assessment of civil penalty or other sanctions.

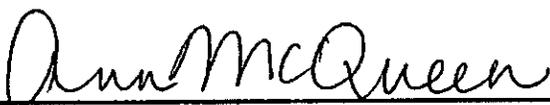
Please don't hesitate to reach out if you have questions about these minor changes. Our goal is to ensure we are transparent and that our processes are clear.

We truly appreciate the important role providers play in our system of long term services and supports, and we look forward to working with you to promote quality care for Oregon's older adults and people with disabilities.



3/16/17

Ashley Carson Cottingham
Aging and People with Disabilities Director
Oregon Department of Human Services



3/14/17

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