

**DEPARTMENT OF HUMAN SERVICES**  
**AGING AND PEOPLE WITH DISABILITIES DIVISION**  
**OREGON ADMINISTRATIVE RULES**  
**CHAPTER 411**  
**DIVISION 59**  
**HOUSING WITH SERVICES**

**411-059-0000 Definitions**

- (1) “Applicant” means an entity that has submitted an application to register as a Housing with Services project.
- (2) “Case Management” means the planning, coordination or referral of services provided directly by the project or from external providers, including but not limited to transportation, meal programs or nutrition assistance, legal or financial services, supportive services, counseling services, recreational, social and wellness activities and programs, and services to increase participation in community life.
- (3) “Coordinate” means to provide proactive and systematic assistance in obtaining, facilitation of and connection with health and social services.
- (4) “Department” means The Department of Human Services.
- (5) “Food Insecurity Interventions” means services that include but are not limited to the direct provision of meals, meal preparation, grocery shopping, cooking services, nutrition education and awareness, and referrals to or assistance accessing congregate meal sites, nutrition assistance programs, meal delivery programs, or emergency food programs and food banks.
- (6) “Health and Social Services” means:
  - (A) Case management;
  - (B) Health navigation;
  - (C) Mental health and addiction supports and services;
  - (D) In-home supports, including housekeeping, personal care, meal preparation, laundry services and transportation; and
  - (E) Food insecurity interventions.

- (7) “Health Navigation” means assistance for individuals in accessing their health care needs, including but not limited to appointment scheduling, medical transportation coordination, scheduling or coordinating in-home care, referrals, health education, medication management, and counseling.
- (8) “Housing with Services Project” means an entity that coordinates two or more health and social services for older adults and people with disabilities who are living in publicly subsidized or private congregate settings. A Housing with Services Project does not include:
- a) A health care facility licensed under ORS 441.015.
  - b) A residential facility licensed under ORS 443.410.
  - c) An adult foster home licensed under ORS 443.725.
  - d) A continuing care retirement community as defined in ORS 101.020.
  - e) A program of all-inclusive care for the elderly as described in 42 C.F.R 460.6.
  - f) Transient lodging as defined in ORS 320.300.
  - g) A hotel as defined in ORS 699.005.
- (9) “In-Home Supports” means assistance to individuals in order to live independently in their own home, including but not limited to housekeeping, personal care, meal preparation, laundry services, transportation, money management, medication administration, and other personal assistance services.
- (10) “Mental Health and Addictions Supports and Services” means mental health or addictions counseling services and supports that may be provided by psychiatrists, mental health caseworkers, therapists, support groups, and any other providers that assist individuals in managing emotional wellness or substance use issues.
- (11) “Older adult” means individuals who are ages 55 and older.
- (12) “People with Disabilities” means individuals between the ages of 18 and 54 who experience a disability that impacts one or more activity of daily living.
- (13) “Project” means a Housing with Services Project as defined in these rules.

#### **411-059-0010 Registration Required**

- (1) Except as provided in OAR 411-059-0030, all entities that coordinate two or more health and/or social services for older adults and people with disabilities who live in publicly subsidized or private settings must register with the Department as a housing with services project.
- (2) Housing with services projects must apply for registration with the Department on forms prescribed by the Department as described in OAR 411-059-0020.
- (3) The Department shall send a certificate of registration to the housing with services project within 90 days of receipt of the application. The Department shall notify the applicant within 60 days of receipt of the application if the application is incomplete or otherwise needs to be corrected.
- (4) The Department shall send a certificate of registration to the housing with services project and enter the project's information on its registry if the Department determines that the requirements of these rules and ORS Chapter 219 (2017) have been met.

#### **411-059-0020 Registration**

- (1) APPLICATION FOR REGISTRATION:
  - a) Application for registration must be made to the Department on forms prescribed by the Department. The application must include:
    - A. The housing with services project's name;
    - B. The housing with services project's address; and
    - C. The primary contact person and contact information (such as phone, email and mailing address) for the housing with services project.
  - b) The application is not considered to be complete until the Department receives all required information.
- (2) ISSUANCE OF REGISTRATION:
  - a) The Department shall issue a certificate of registration to the housing with services project once the applicant has:
    - A. Submitted a complete application; and

- B. Met all other requirements as described in ORS Chapter 219 (2017) and these rules
- b) The certificate of registration shall identify the housing with services project's name, address, and primary contact person for the housing with services project.

**411-059-0030 Registration Required – Exceptions**

- (1) A housing with services project is not required to register with the Department under these rules and ORS Chapter 219 (2017) if the housing with services project is regulated by the Housing and Community Services Department or the federal Department of Housing and Urban Development.
- (2) No later than December 31 of each calendar year, the Housing and Community Services Department will provide the Department a list of housing with services projects regulated by the Housing and Community Services Department that serve older adults, people with disabilities, or both.
- (3) No later than December 31 of each calendar year, the Department shall obtain a list of housing with services projects in Oregon that are regulated by the federal Department of Housing and Urban Development and not regulated by the Housing and Community Services Department that serve older adults, people with disabilities, or both.
- (4) The lists in sections (2) and (3) of this rule shall include, at a minimum, the following information:
  - a) The housing with services project's name;
  - b) The housing with services project's address; and
  - c) The housing with services project's primary contact person and contact information
- (5) All housing with services projects provided to the Department in the process described in this rule shall be considered registered with the Department as a housing with services project.

**411-059-0040 Department Information for Tenants**

- (1) Upon entering a project on the registry, as stipulated in OAR 411-059-0020 through 411-059-0030, the Department shall provide housing with services

projects with information on resources available to tenants within 30 business days, including but not limited to:

- a) Information about the Aging and Disability Resource Connection; and
  - b) Information about hotlines for reporting abuse.
- (2) The Department will respond to any written request for information identified in section (1) of this rule by a registered housing with services project within 30 business days of receipt of request.

#### **411-059-0050 Administrative Sanctions**

- (1) If the Department or a representative has reasonable cause to believe an entity is a housing with services project subject to the registration requirements of OAR 411-059-0010 through OAR 411-059-0020 and is operating without registration, it may enter the housing with services project to determine whether it is subject to registration requirements under ORS Chapter 219 (2017).
- (2) If the Department determines a project should have registered under these rules, the Department may issue a demand to register.
- (3) The Department shall serve the demand to register upon the operator personally or by certified mail. The demand to register shall include:
  - a) A reference to the particular sections of statute or rule involved;
  - b) A short and plain statement of the matters asserted or charged; and
  - c) A statement of the right to request a hearing.
- (4) A project that disagrees with the Department's determination of registration requirements shall have ten (10) days from the date of receipt in which to make a written application for a hearing.
- (5) All hearings shall be conducted according to the applicable provisions of ORS 183.310 to 183.550.
- (6) If the project notified fails to request a hearing within the time frame specified, or if after a hearing the project should have been registered under these rules or statute, an order may be entered demanding that the project be registered with the Department.
- (7) If the housing with services project fails to register with the Department after being served notice pursuant section (3) of this rule within 60 calendar days, the Department shall refer the entity to the Oregon Department of Justice's Civil Enforcement Division.