

Information Memorandum Transmittal Developmental Disabilities Services



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Number: DD-IM-22-068

Issue date: 06/30/2022

Topic: Developmental Disabilities

Due date:

Subject: Introduction of the Standard Model Agency

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All ODHS 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 checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Community Living Supports agencies |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Message:

The Department will adopt [temporary rules](#) effective July 1, 2022. These rules will create a new type of in-home agency provider – the Standard Model Agency (SMA). The requirements for an SMA will be found in a new numbered rule, OAR 411-450-0090 and you can learn about them from [this webinar](#). This new provider type is in addition to the existing in-home agency type, referred to as a Community Living Support Agency, which is not required to comply with 411-450-0090, though they may choose to operate in such a way as to meet one or more of the requirements. Both provider types will deliver Community Living Supports (CLS) in the form of hourly, in-home attendant care (OR526 in eXPRS).

Before an agency can be considered an SMA it will need to:

- Have policies to minimize the impact of cancellations on individuals when the agency cannot deliver a scheduled service, and on employees when the individual cancels a scheduled service.

- Have a supervisor available to a Direct Support Professional (DSP) when the DSP is delivering supports.
- Develop or acquire protocols to mitigate known risks.
- Provide additional training for DSPs.

By January 1, 2023, the SMA will have to:

- Develop ISP implementation strategies (a document that describes how the agency intends to use CLS to help a person achieve their desired outcomes).
- Submit written progress reports to the individual's case manager that summarizes progress made toward achieving desired outcomes.

The SMA is for people who want the agency to be primarily responsible for managing DSPs. It is intended to offer robust back up support so the people who need the support get it. Its focus will be on activities like skill building, community integration, and achieving desired outcomes. For more information see [this FAQ document](#).

Through the summer and fall of 2022, ODDS will work with providers and partners to refine, and possibly add to, the SMA requirements and to make the rules for them permanent. During this time, ODDS will also work to develop another in-home agency type. It will be known as the Employer Model Agency (EMA) and will implement Section 1 of [SB1548](#). Existing agencies with a CLS endorsement will have to be either a Standard Model Agency or Employer Model Agency once the rules for both are in place.

Since the passage of SB1548 and through the development of new in-home agency types, ODDS engaged with stakeholders to discuss various ideas and concepts. Some of those ideas and concepts persisted, others dismissed, and yet others put on hold. This resulted in the introduction of some new terms, not all of which will be moving forward on July 1, 2022.

In the spring of 2022, ODDS conducted two webinars on this topic. There were significant changes between them. The first discussed the adoption of the Employer Model Agency. That model has not yet been adopted. There is no Employer Model Agency. "Agency With Choice" is used in SB1548, it is not a term ODDS will be adopting. For the remainder of 2022, there will be two types of in-home agencies: Standard Model Agencies and Community Living Supports Agencies.

By January 1, 2023, neither a SMA nor an EMA can use independent contractors to deliver CLS, DSPs will be required to be employees of the agency.

Since both agency types are delivering CLS, no ISP or service agreement changes are necessary unless an individual chooses to change agencies.

Communication/training:

This transmittal will be discussed during the next Monthly Transmittal Review. Please send questions in advance to ODDS.Questions@dhsoha.state.or.us.

The Monthly Transmittal Reviews are held the second Wednesday of every month at 2 pm using the Zoom platform. Please register in advance for these meetings:

<https://www.zoomgov.com/meeting/register/vJlsc-qvqD8iGURx5OQk8TAdIS6Arg9ZAf4>

After registering, you will receive a confirmation email containing an appointment and information about joining the meeting. American Sign Language (ASL) and live captioning will be provided. To request other accommodations or languages, please send an email to ODDS.Questions@dhsoha.state.or.us at least three business days prior to the meeting.

If you have any questions about this information, contact:

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