

Lilia Teninty

Authorized Signature

Number: APD-PT-17-043

Issue date: 9/29/2017

Topic: Developmental Disabilities

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 | <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 checked="" type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> ODDS Children’s Residential Services | <input type="checkbox"/> Other (please specify): |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Notification and Review of SACU Abuse Determinations		
Policy/rule number(s):		Release no:	
Effective date:		Expiration:	
References:			
Web address:			

Discussion/interpretation:

The DHS Office of Adult Abuse Prevention & Investigations (OAAPI) is modifying the process by which ODDS Stabilization and Crisis Unit (SACU) staff that have been substantiated for abuse in an OAAPI investigation may request administrative review of those determinations.

This policy transmittal supercedes the OAAPI "Policy Governing Due Process for DHS and OHA Employees Substantiated for Abuse in an Investigation Conducted by the Department's OAAPI - Substantiation Review Panel" last updated February 14, 2013, which is repealed by this Policy Transmittal.

Effective October 1, 2017, SACU staff who are substantiated for abuse in an OAAPI investigation will be notified in writing by OAAPI of the abuse finding and given thirty (30) days from receipt of the notification to submit a written request for management review by OAAPI's Policy & Legal Affairs Section.

Upon receipt of the request for management review, along with any additional information provided by the substantiated SACU staff person, OAAPI management will review relevant materials and initiate a conference call with the substantiated person (accompanied by their union representative, if desired) to discuss why they believe the substantiation is incorrect.

Following OAAPI's management review, OAAPI will issue a Final Order signed by a designee of the DHS Director to the substantiated SACU staff person. The Final Order will advise them of the outcome of the review and refer them to Circuit Court for judicial review, if desired, as an "other than contested case" in accordance with ORS 183.484. At that time OAAPI will notify other involved parties of any changes to investigation findings.

If a substantiated SACU staff person does not request an OAAPI management review of a substantiation within the time period offered in the initial notification, OAAPI will issue a Final Order upholding the original finding.

Implementation/transition instructions:

SACU staff that are substantiated for abuse in OAAPI investigations completed after October 1, 2017, will receive written notification of findings and instructions for requesting an OAAPI management review at the completion of the investigation.

Training/communication plan:

Local/branch action required:

Central office action required:

Field/stakeholder review: Yes No

If yes, reviewed by:

Filing instructions:

If you have any questions about this policy, contact:

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