Policy Transmittal
Developmental Disabilities Services

Lilia Teninty & Chuck Hibner

Authorized signature

Number: APD-PT-18-037
Issue date: 8/31/2018

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):
☐ All DHS employees  ☐ County Mental Health Directors
☐ Area Agencies on Aging: {Select type}  ☐ Health Services
☐ Aging and People with Disabilities  ☐ Office of Developmental Disabilities Services (ODDS)
☐ Self Sufficiency Programs  ☐ ODDS Children’s Intensive In Home Services
☑ County DD program managers  ☐ Stabilization and Crisis Unit (SACU)
☐ ODDS Children’s Residential Services  ☐ Other (please specify): OTIS and CDDP Adult Abuse Investigators; Brokerage Directors
☐ Child Welfare Programs

Policy/rule title: Abuse Investigation and Protective Services for Adults with Developmental Disabilities in Community Programs & Facilities

Policy/rule number(s): OAR 407-045-0250 through 407-045-0370
Release number:

Effective date: August 27, 2018
Expiration date: n/a

References: PT-18-010

Web address: [pending]

Discussion/interpretation:
On March 1, 2018, the Office of Training, Investigations and Safety (OTIS, formerly known as OAAPI) filed DHSD 3-2018, temporary amend filed 02/27/2018, effective 03/01/2018 through 08/27/2018. Following the rulemaking process, OTIS filed the Notice of Proposed Rulemaking, effective date 08/27/18. A rule summary related to each amended rule section and tracked changes to the rules are stated in the Notice.

DHS 0079 (rev. 10/12/17)
Notable rules changes that affect previous trained practices or rule requirements include:

- Screening determination to be made by the end of the third business day after receiving the alleged abuse complaint.
- OTIS to provide all the Notice of Outcomes to accused persons/providers (AP) for unsubstantiated allegations.
- Eliminated several previously required notifications unless mandated by law by the Department or designee (investigator).
- Removed licensing notifications of complaints received unless reasonable cause to believe abuse occurred and assigned for investigation.
- Clarify when confidential or redacted reports may be released.
- Investigator to assure the redacted report for substantiated allegations are sent to OTIS within five (5) business days of approval to close.
- Redacted reports are only required to be sent out when there are recommended actions related to protective services and the allegation is not substantiated.
- Public records requests for substantiated abuse findings are not released until the abuse review and final order process is completed.
- OTIS abuse reviewers are required to participate in the trainings and quarterly meetings provided investigators.

**Implementation/transition instructions:**
OTIS, CDDP abuse investigators and DD program managers are responsible for reviewing the permanent rules and assessing their program operations for any needed changes.

**Training/communication plan:**
OTIS abuse investigation coordinators informed CDDP investigators of the permanent rules filed at the July 24th, 2018 Quarterly meeting for DD investigators and planned training.

A special required rule revision training for investigators on the changes is scheduled twice in September 2018, and offered as either a classroom or Skype presentation. The training is required to be taken once.

Here are the course details:
- Event Title: OTIS - September Abuse Rules Update: Developmental Disabilities
- First Occurrence: 9/26/2018 from 12:30 PM to 04:30 PM
- Second Occurrence: 9/27/2018 from 8:30 AM to 12:30 PM

The link to register for the course in iLearn is: [http://go.usa.gov/xnzVr](http://go.usa.gov/xnzVr)

**Local/branch action required:**
All abuse investigators will be required to take the September 2018 training presentation. Any new forms related to the rule changes will be provided by OTIS as part of the required September 2018 training.
Central office action required:
OTIS coordinators and managers are available to provide technical assistance to CDDP investigators and program managers as needed.

Field/stakeholder review: ☑ Yes □ No
If yes, reviewed by: Rules Advisory Committee members provided input on the development of these permanent rules.

Filing instructions:
This transmittal replaces PT-18-010

If you have any questions about this policy, contact:

<table>
<thead>
<tr>
<th>Contact(s): Therese Hutchinson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone: 503-945-7176</td>
</tr>
<tr>
<td>Email: <a href="mailto:Therese.HUTCHINSON@state.or.us">Therese.HUTCHINSON@state.or.us</a></td>
</tr>
</tbody>
</table>