

**TEMPORARY FILING**  
**INCLUDING STATEMENT OF NEED & JUSTIFICATION**  
*For internal agency use only.*

Department of Human Services, Aging and People with Disabilities (APD)		411
Agency and Division Name		Administrative Rules Chapter Number
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**FILING CAPTION**

*APD: Rule change to extend the date of the Oregon Project Independence Pilot*

Agency Approved Date: [ 9/16/2021 ]

Effective Date: [ 9/17/2021 ] through [ 3/15/2022 ]

**RULEMAKING ACTION**

*List each rule number separately (000-000-0000). Attach clean text for each rule at the end of the filing*

**AMEND: 411-032-0050**

**RULE SUMMARY:**

*Include a summary for each rule included in this filing.*

The Department is immediately amending this rule in OAR chapter 411, division 032 to do the following:

**411-032-0050 Pilot for Adults with Disabilities** - Amends OAR 411-032-0050 to extend the date of the OPI pilot program through June 30, 2023. The rules applicable to the pilot expired on June 30, 2021. This rule modification changes the time period effective July 1, 2021.

**STATEMENT OF NEED AND JUSTIFICATION**

Need for the Rule(s):

The Department needs to immediately amend the Oregon Project Independence Pilot rule in 411-032-0050 to continue providing services to adults with physical disabilities that are currently receiving such services in regionally diverse pilot

locations through the Area Agencies on Aging. This rulemaking expands the date of the pilot program to allow the Department to continue providing services through the next biennium, as the pilot currently expired on June 30, 2021.

Justification of Temporary Filing:

Failure to act promptly and immediately to amend OAR chapter 411, division 032 will result in serious prejudice to the public interest, the Commission, and Area Agencies on Aging (AAA) operating the pilot expansion and serving 300+ individuals. These rules need to be amended promptly so that the pilot program can continue in the designated AAA programs through the 2021-2023 biennium, as directed by the Legislature and APD administration.

Documents Relied Upon, and where they are available:

None.

/s/ Mike McCormick, Interim Director, Aging and People with Disabilities

9/16/2021

Signature

Date

**DEPARTMENT OF HUMAN SERVICES  
AGING AND PEOPLE WITH DISABILITIES  
OREGON ADMINISTRATIVE RULES**

**CHAPTER 411  
DIVISION 32**

**OREGON PROJECT INDEPENDENCE**

**411-032-0050 Pilot for Adults with Disabilities**

*(Temporary effective 09/17/2021 through 03/15/2022)*

The temporary rule change filed in chapter 411, division 032 on September 17, 2021 is effective as of July 1, 2021.

This rule applies only until June 30, 202~~3~~<sup>4</sup>.

(1) The purpose of this rule is to set out the policies that apply to the expansion of Oregon Project Independence services to adults with physical disabilities. The pilot allows the Department to study the potential to transition Oregon Project Independence to a statewide, age neutral, program that assesses and serves seniors and persons with physical disabilities based on their functional needs.

(2) "Disability" means, for the purposes of this rule, a physical, cognitive, or emotional impairment which, for an individual, constitutes or results in a functional limitation in one or more of the activities of daily living defined in OAR 411-015-0006, or in one or more of the instrumental activities of daily living defined in OAR 411-015-0007.

(3) "Adult" means, for purposes of this rule, any person 19 to 59 years of age.

(4) OAR 411-032-0000 to 411-032-0044 apply to this pilot program, except as noted below:

(a) Authorized Services and Allowable Costs. Authorized services may not be available in all service areas. Authorized services for the pilot funds include home care supportive services, service coordination, and other services, including the following:

(A) Home care.

(B) Chore services.

(C) Assistive Technology.

(D) Personal care services.

(E) Adult day services.

(F) Registered nurse services.

(G) Home delivered meals.

(H) Services to support community caregivers and strengthen the natural support system of individuals.

(I) Evidence-based health promotion services.

(J) Options counseling.

(K) Assisted transportation options that allow individuals to live at home and access the full range of community resources.

(b) Eligibility.

(A) In order to qualify for authorized services under this pilot, an individual must:

(i) Be an adult with a disability;

(ii) Be a resident of a designated pilot area and seek services at that location;

(iii) Not be receiving Medicaid; and

(iv) Meet the requirements of the long-term care services priority rules in OAR chapter 411, division 015.

(B) The Area Agencies on Aging must determine eligibility prior to an individual receiving authorized services.

Stat. Auth.: ORS 409.050, 410.070, 410.435

Stats. Implemented: ORS 409.010, 410.410-410.480