



STATE OF OREGON
POSITION DESCRIPTION

Position Revised Date:
October 2025

Agency: Office of the Long Term Care Ombudsman

Facility: Residential Facilities Ombudsman Program

[X] New [ ] Revised

This position is:

- [X] Classified
[ ] Unclassified
[ ] Executive Service
[ ] Mgmt. Svc – Supervisory
[ ] Mgmt. Svc – Managerial
[ ] Mgmt. Svc - Confidential

SECTION 1. POSITION INFORMATION

a. Classification Title: Compliance Specialist 3
b. Classification No: 5248
c. Working Title: RFO Resident Hearings Representative
d. PPDB No/WD ID: TBD
e. Section Title: Residential Facilities Ombudsman
f. Agency No: 11400
g. Employee Name:
h. Budget Auth No: TBD
i. Supervisor Name: Leslie Sutton
j. Repr. Code: AI
k. Work Location (City – County): Salem, Marion County and remote/hybrid

I. Position: [ ] Permanent [ ] Seasonal [X] Limited Duration [ ] Academic Year
[X] Full-Time [ ] Part-Time [ ] Intermittent [ ] Job Share
m. FLSA: [X] Exempt [ ] Non-Exempt
If Exempt: [ ] Executive/Supervisory [X] Administrative [ ] Professional [ ] Computer
n. Eligible for Overtime: [ ] Yes [X] No

SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.
The Residential Facilities Ombudsman (RFO) program protects individual rights, enhances quality of life, improves care, and promotes dignity of life for Oregonians living in settings licensed or certified by the State of Oregon through Developmental Disability (DD) or Mental Health (MH) programs. Our scope of authority includes all people living in the more than 3,365 residential homes or facilities serving both children and adults across Oregon. These settings are monitored by two separate and distinct state agencies, the Oregon Department of Human Services (ODHS) and the Oregon Health Authority (OHA).
For DD homes, RFO supports adults and children who live in group or foster homes. For mental health homes, this includes Residential Treatment Homes, Residential Treatment Facilities, Secure residential Treatment Facilities and Adult Foster homes. People living in these homes

receive services across a spectrum of state programs and agencies including but not limited to the Oregon State Hospital, Office of Developmental Disability Services at ODHS, Child Welfare (ODHS), Behavioral Health for adults and children (OHA) and the Oregon Psychiatric Security Review Board (PSRB).

The primary role of the RFO program is to receive, identify, investigate, advocate and resolve complaints made by and on behalf of residents. This is achieved through the work of the RFO paid staff and a network of trained and certified local ombudsman volunteers who investigate each complaint while educating residents about their rights. RFO works closely with the resident, their family (if any), the resident’s planning team, providers, case management entities, licensing and abuse teams in resolving the issues. RFO gets direction from the resident and advocates for resolution that the resident identifies. Additionally, the role of the RFO program is to identify trends, evaluate policy and make recommendations for change to improve the health, safety, welfare and rights of residents across both residential systems of care. The RFO program monitors the residential care system which, in addition to facilities, includes a number of state and local agencies for children and adults under ODHS and OHA. The program advocates for and participates in proposed changes to statewide policies, procedures, ORS and OAR that affect care of residents. The RFO makes recommendations as needed to the Legislature and the Governor on residential care issues.

The RFO program is one of three programs at the Office of the Long Term Care Ombudsman (OLTCO) which also includes the Long Term Care Ombudsman and the Oregon Public Guardian and Conservator programs. The Mission of OLTCO collectively is to protect individual rights, promote independence and ensure quality of life for Oregonians living in care facilities and for Oregonians in need of public guardianship. The OLTCO functions separately and independently from any other state agency.

**b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:**

The primary purpose of the RFO Resident Hearing Representative is to represent residents and ensure the rights of individuals living in RFO-covered residential settings are protected and supported in the administrative hearing processes. They review notices issued by providers or state agencies to determine legal sufficiency, consult with the resident to determine the resident’s goals and if the resident would like representation, create case plans, participate in pre-hearing conferences, submit exhibits for administrative hearings, represent the resident in the hearing and any post-hearing work. RFO has statutory authority to provide this representation under ORS 443.382.(3)(h).

The RFO Resident Hearing Representative reviews, analyzes and makes recommendations to residents about disputes involving complex regulator or Medicaid issues, coordinates with state and county partners, and manages a unique caseload covering Medicaid services, eligibility, and related program disputes, providing technical assistance and ensuring individuals’ rights are upheld.

**SECTION 3. DESCRIPTION OF DUTIES**

**List the major duties of the position. State the percentage of time for each duty. Mark “N” for new duties, “R” for revised duties or “NC” for no change in duties. Indicate whether the duty is an “Essential” (E) or “Non-Essential” (NE) function.**

% of Time	N/R/NC	E/NE	DUTIES
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**Note:** If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

35%	N	E	<p><b>Contested Case Development</b></p> <ul style="list-style-type: none"> <li>• Review, research, analyze, interpret, evaluate facts, and evidence for complex medical, long-term services and supports, financial, and other program specifics, often with conflicting information, to determine if it meets the legal elements of the case and complies with applicable statutes and administrative rules.</li> <li>• Consult with residents to determine if they would like to appeal the notice they received and if so, if they would like representation in that process.</li> <li>• Build and implement case and hearing plans that support the resident's goals incorporating evidence and testimony that reflect relevant elements of the case drawn from state or federal law or regulation.</li> <li>• Prepare cases for hearings, represent the resident in informal and prehearing conferences, submit exhibits, object to exhibits submitted by the other side.</li> <li>• Serve as the resident's representation during the hearing, question witnesses, review proposed orders, briefings, or other legal documents submitted by attorneys and/or opposing sides.</li> <li>• Develop, recommend, and implement a course of action for resolving cases such as through settlement, withdrawal, or stipulations.</li> <li>• Review of case evidence and notices for legal compliance and actions taken by the provider agency or state agency. Draft, recommend, and implement strategies, motions and memoranda to represent the individual based on the relevant notices, evidence, statute and regulation.</li> <li>• Submit legally sufficient administrative hearing requests on behalf of residents in a timely manner.</li> <li>• Research laws, precedent cases, and policy intent to provide technical assistance and guidance to individual residents and appropriate Deputy RFO Ombudsman concerning interpretation of statutes and rules, and to formulate policy recommendations.</li> <li>• Review, analyze, and interpret complex and sometimes conflicting rules, statutes, regulations and polices to determine</li> </ul>
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			<p>appropriate proposed hearing or settlement outcomes.</p> <ul style="list-style-type: none"> <li>• Identify any missing records or additional investigation needed. Collect collateral contact information and provide technical assistance as needed.</li> <li>• Meet with and prepare residents and other witnesses supporting the resident for hearing and issue subpoenas as needed.</li> <li>• Train witnesses in the hearing process and procedures to ensure they understand their role in the hearing.</li> </ul>
25%	N	E	<p><b>Technical Consultation and Program Coordination</b></p> <ul style="list-style-type: none"> <li>• Provide technical advice to RFO program staff and create a best practices representation manual so program staff can provide input in the case and support the resident if needed.</li> <li>• Gather and analyze trends and other data to inform policy change conversations that will support resident rights. This includes connecting with ODDS/OEP/PMDDT Policy Analysts, Community Developmental Disability Program staff, ODHS staff, and the Assistant Attorney General regarding current policy, administrative rules, and Model Rules of Procedure under the Administrative Procedures Act.</li> <li>• Identify and explain applicable law, precedent orders, policies and procedures to residents, RFO staff, attorneys, ODHS/OHA/ODDS staff, residential providers and members of the public.</li> <li>• Analyze and evaluate cases for alternative resolutions and ensure consistency with agency mission, equity, and treatment of program recipients.</li> <li>• Provide individualized training and serve as a subject matter expert in administrative hearings and developmental disabilities and mental health policy with attorneys, consumers, ALJs, ODHS/OHA/ODDS staff, and community partners.</li> <li>• Provide technical advice and collaborate with local offices, policy, legislators and leadership and recommend corrective action, for correct application of administrative rules and law.</li> <li>• Consult with ODHS and OHA Policy Analysts and provide recommendations for rule interpretation and/or identification of issues with implementation of rules.</li> <li>• Write legal notices, motions, and rewrite final orders for the RFO program residents, consulting with DOJ and policy as</li> </ul>

needed.

- Create case briefings when the DOJ becomes involved in a case.
- Evaluate programs, rules, policies and procedures to identify areas of weakness for policy change actions. Review service systems for compliance to policy, rules, or other requirements. Recommend adjustments needed to achieve developmental disability or mental health program effectiveness. Research laws and controlling orders to recommend policy direction for compliance.
- Provide technical consultation and program coordination regarding Orders issued by the Office of Administrative Hearings (OAH). Review and ensure the ALJ has interpreted the rules of the Department correctly, the orders issued by OAH are correct, and Oregon Administrative Rules and Statutes have been applied appropriately in the case.
- Identify errors found in Orders issued by OAH with stringent deadlines and coordinate and recommended corrections of those errors to OAH.
- Monitor and coordinate compliance of state actions with multiple state agencies. Implement compliance standards, to ensure due process rights of all individuals are adhered to.
- Provide technical advice to leadership if a proposed order should be rewritten based on OAR interpretation.
- Collaborate and consult with multiple programs (i.e., ODDS, OHA, OEP, etc.), to recommend policy and rule adjustments needed to achieve services and hearings effectiveness for people with disabilities.
- Participate in workgroups and meetings that set program goals and include policy development/rules that impact the lives of Oregonians with disabilities who live in RFO-covered residential facilities. This includes collaboration with various program Policy Analysts and leadership.
- Explain to residents and ALJs how various program rules converge, diverge, or intersect in real-time hearing situations.
- Review decisions and outcomes made by the Department and providers regarding eligibility, overpayments, move out notices, investigations, provider suspensions/licensure issues, procedures, and processes to determine if the actions are correct.

			<ul style="list-style-type: none"> <li>Regularly advise and instruct various staff on corrective actions to improve program efficiency and ensure compliance.</li> </ul>
25%	N	E	<p><b>Case Presentation</b></p> <ul style="list-style-type: none"> <li>Represent residents of RFO-covered facilities in administrative hearings, Pre-hearing conferences and informal conferences in accordance with the Lay Representative authorization from the DOJ.</li> <li>Prepare and present opening and closing statements, testify under oath, provide evidence, examine witnesses, and make and respond to objections.</li> <li>Summarize and explain policy issues in contested cases and explain the Department's interpretation of applicable statutes, rules, and policies.</li> <li>Present verbal and written arguments in hearings regarding facts, application of facts to the rules, and comparison to prior agency actions.</li> <li>Prepare and submit written responses to ALJs.</li> <li>Track and identify areas for cross examination and rebuttal during the hearing. Conduct direct examination, cross examination, and rebuttal of witnesses/claimants and/or their attorneys/representatives.</li> <li>When merited, respond to new evidence that alters or may alter the resident's case theory and/or underlying decision by offer of verbal amendment or other viable hearing strategy to address unexpected situations that arise.</li> </ul>
15%	N	E	<p><b>Post Hearing and other Hearing Related Work</b></p> <ul style="list-style-type: none"> <li>Review OAH orders to ensure they represent an accurate record of hearing and consult with OAH if errors found.</li> <li>Consult with and advise RFO, ODDS and OHA Leadership, Policy Analysts and/or DOJ when the hearing representative disagrees with the OAH order to determine the impact on ODHS and OHA programs and make policy recommendations to alleviate negative consequences for residents.</li> <li>Research, analyze and interpret rules and regulations, as well as facts in the case. Request reconsiderations or rehearing. Course of action taken requires compliance with the Administrative Procedures Act Model Rules regarding contested case hearings.</li> </ul>

			<ul style="list-style-type: none"> <li>• Draft amended proposed orders and final orders to make necessary corrections that align with program rules, OAR and the resident’s wishes. Present proposed orders to the program director for approval and signature.</li> <li>• Make written exception requests or requests for reconsideration or rehearing when appropriate given the resident’s wishes, case facts and applicable OAR, ORS and program policies.</li> <li>• Consult with RFO Leadership and/or DOJ as needed to prepare/write amended proposed orders, final orders, final orders on reconsideration, respond to written exceptions and/or arguments, or prepare cases for rehearing.</li> <li>• Coordinate and work with the Office of Administrative Hearings on hearing matters.</li> <li>• Ensure that case management entities, ODDS, OHA and providers complete actions resulting from the final order. Report final order(s) to other relevant entities to ensure tracking and follow-up.</li> <li>• Maintain and retain hearing files consistent with Department procedures to remain in compliance with retention policies.</li> <li>• Conduct hearing caseload reviews and data collection to assist with program reporting and effectiveness measurements.</li> </ul>
100%			

#### SECTION 4. WORKING CONDITIONS

**Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.**

Public contact, including meeting some individuals that have high energy. Daily contact by telephone, Teams or Zoom, in person, in writing and/or electronic messaging with staff members, state personnel, and residents of RFO-covered facilities to clarify or solve policy issues, present cases at hearings, and bring about agreements. Contact with attorneys, RFO Deputies and the Governor’s Advocacy Office, involving contested case hearings issues. Occasional irregular work hours. Occasional travel. Attend quarterly statewide Hearing Representative trainings and meetings in person and/or via virtual attendance. May require overnight travel accommodations. Individual staff may be stationed in various local offices, fully remote or telecommute.

This position is suitable for remote work options. Staff working remote shall:

- Meet all responsibilities and perform all duties as if their role was performed in a traditional work setting.
- Comply with all agency policies, guidelines, and management directives.
- Maintain a professional demeanor in the performance of all duties.

- Meet and maintain performance expectations.
- Be available each week during established work hours, as determined by the business need.

## SECTION 5. GUIDELINES

### a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

Oregon Revised Statutes (ORS) 183, 410 and 413. Oregon Administrative Rules (OAR) 137, 410, 411, and 461. Code of Federal Regulations, Oregon Attorney General Opinions, Oregon Evidence Code, Attorney General’s Administrative Law Manual, Attorney General’s Administrative Law Manual Public Records and Meetings Manual, Agency policy and procedure manuals, Community First Choice State Plan Amendment (k-plan), Waiver Terms and Conditions, Oregon Department of Justice Code of Conduct for Non-Attorney Representatives at Administrative Hearings, Model Rules of Procedure under the Administrative Procedures Act. OWL, OPEN, QRGs, ETOPs, ODDS Expenditure Guides, Worker Guides, Policy Transmittals, Action Requests, Information Memoranda.

### b. How are these guidelines used?

The guidelines are used to explain decisions to residents, to follow requirements for handling a contested case hearing to completion, to advocate for outcomes a resident wants, and to provide suggestions for improvement of policy, rule, procedure, or statute, to develop protocols, to analyze decisions made, to understand services provided or requested, to prepare contested case notices and to assure that the ODDS/OEP/OHA are adhering to Federal and State rules and regulations and to facilitate ODHS/OHA policies and procedures for compliance with Federal and State guidance in management of programs benefits

## SECTION 6. WORK CONTACTS

### With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

Who Contacted	How	Purpose	How Often?
<i>Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".</i>			
Residents / guardians	Phone, in person, video conference, letters, e-mail	Exchange of information; explain rules, resolve issues	Daily to weekly
ODHS/ODDS/OHA eligibility workers, case managers, overpayment investigators, and OPAR	Phone, in person, video conference, letters, e-mail, instant messaging	Exchange of information; explain rules, resolve issues, make decisions, provide technical assistance, program coordination	Daily to weekly
Case managers contracted with OHA or ODHS/ODDS in field offices	Phone, in person, video conference, letters, e-mail, instant messaging	Exchange of information; explain rules, resolve issues, make decisions, provide technical assistance	Daily to weekly
ODDS and OHA Managers and Program Analysts	Phone, in person, video conference, letters, e-mail, instant messaging	Exchange of information; explain rules, resolve issues, make decisions, provide	Daily to weekly

		technical assistance, program coordination	
Attorneys/Legal Aid/Oregon Law Center/Disability Rights Oregon	Phone, in person, video conference, letters, e-mails	Exchange of information, interpret and interpret rules/policies/laws for compliance, provide program coordination to resolve issues	As needed
Law enforcement/Parole officers	Phone, in person, letters, e-mails	Gather information to verify facts and documents.	As needed
Office of Administrative Hearings	Phone, in person, video conference, letters, e-mails	Refer contested cases for scheduling; coordinate complicated cases; resolve issues; program coordination, technical assistance	Daily to weekly
Community partners	Phone, in person, video conference, letters, e-mails	Gather information to verify facts and documents; program coordination, technical assistance	As needed
Department of Justice/Assistant Attorney General	In-Person/Phone/ Electronic Communications	Exchange of information, program coordination, technical assistance, explain/interpret rules/policies, consultation on legal direction, issues, and case presentation	As needed
Providers, potential witnesses e.g. individual's family members	Phone, in person, video conference Phone, in person, video conference, letters, e-mails	Gather information to verify facts and documents; subpoena individuals, employment records and testimony	Weekly to as needed

## SECTION 7. POSITION RELATED DECISION MAKING

**Describe the typical decisions of this position. Explain the direct effect of these decisions.**

The RFO Hearing Representative exercises daily independent judgment to interpret and apply complex ODHS and OHA policies and regulations. They meet with residents who are experiencing stressful situations. They make critical decisions on the legal sufficiency of notices, the admissibility and relevance of evidence, the timeliness and validity of hearing requests, and whether a client has the right to a hearing. They assess credibility, determine appropriate witnesses and documentation, and shape the presentation of the resident's positions before an Administrative Law Judge. Their role includes identifying necessary policy changes, recommending rule revisions, and addressing training needs to ensure ongoing compliance and program integrity. RFO Hearing Representatives make high-stakes decisions that directly affect residents, provider actions, and agency operations. Their judgments can influence where a resident lives, eligibility, service access, overpayments, and program compliance—carrying financial and legal implications, including potential reversals, federal sanctions, or lawsuits. By resolving disputes early, they ensure due process is upheld. Their work also drives policy and training changes, ensuring program accuracy and ongoing compliance with federal and state requirements.

## SECTION 8. REVIEW OF WORK

### Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
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**Note:** If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

Compliance and Regulatory Manager 1	1140021	Electronic/Phone/Virtual conference	As needed	Compliance and regulation of administrative hearings through the contested case process
			Quarterly	Performance Evaluation

## SECTION 9. OVERSIGHT FUNCTIONS

THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

- a. How many employees are directly supervised by this position? 0  
 How many employees are supervised through a subordinate supervisor? 0

- b. Which of the following activities does this position do?

- |  |   |
|--|---|
| <input type="checkbox"/> Plan work               | <input type="checkbox"/> Coordinates schedules                    |
| <input type="checkbox"/> Assigns work            | <input type="checkbox"/> Hires and discharges                     |
| <input type="checkbox"/> Approves work           | <input type="checkbox"/> Recommends hiring                        |
| <input type="checkbox"/> Responds to grievances  | <input type="checkbox"/> Gives input for performance evaluations  |
| <input type="checkbox"/> Disciplines and rewards | <input type="checkbox"/> Prepares & signs performance evaluations |

## SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

**ADDITIONAL REQUIREMENTS:** List any knowledge and skills needed at time of hire that are not already required in the classification specification:

- Promotes and fosters a diverse and qualified workforce and discrimination/harassment-free workplace.
- Recognizes and values all individuals regardless of their cultures, identities, and backgrounds.
- Creates a work environment where individuals feel welcomed, appreciated, and valued for all that they bring to the organization.
- Participates in professional development opportunities to engage in ongoing education of cultural awareness.
- Treats customers, stakeholders, partners, vendors and co-workers with dignity and respect.
- Maintains a work environment that respects, understands, and honors the lived experiences of our clients, colleagues, and the communities we serve.

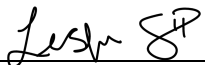
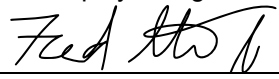
BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount (\$00000.00)	Fund Type
<i>Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit "Enter".</i>		

**SECTION 11. ORGANIZATIONAL CHART**

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name and position number.

**SECTION 12. SIGNATURES**

_____ Employee Signature	_____ Date	 _____ Supervisor Signature	11/7/25 _____ Date
 _____ Appointing Authority Signature	10/29/2025 _____ Date		