



OREGON DEPARTMENT OF
Human Services

September 28, 2026



Office of Aging and People with Disabilities (APD)

Senate Bill 739 implementation plan review and progress

Agenda

1. Welcome, introductions, community agreements
2. Senate Bill 739 rule implementation updates
3. Operationalizing temporary rules
4. Preparation for permanent rules changes
5. Wrap up and next steps

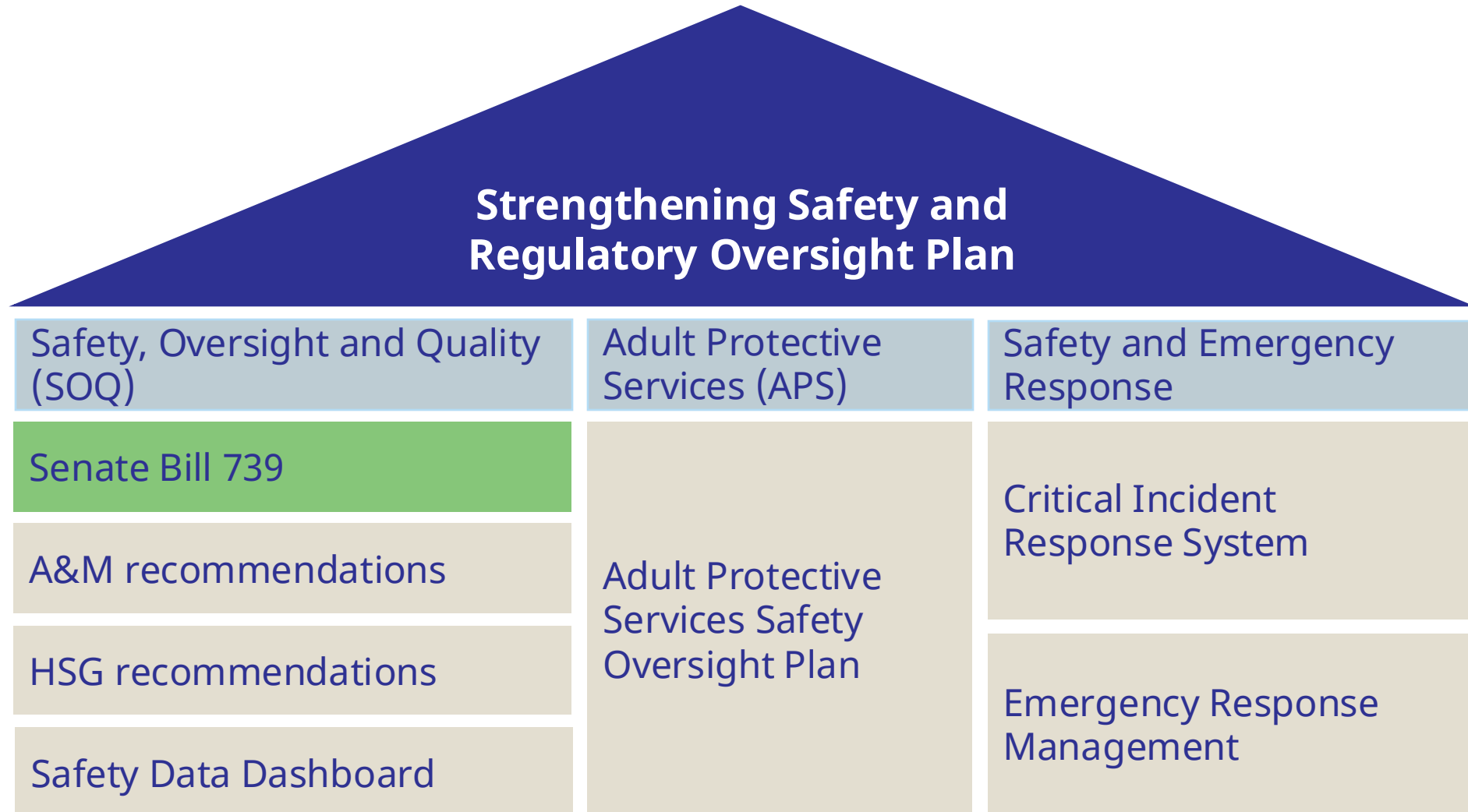


Community agreements



- Be present and participate
- Contribute thoughtfully and creatively
- Engage with professional respect
- Foster accountability and collaboration
- Uphold a safe and inclusive environment
- Commit to growth and positive progress

Safety planning



Administrative Rules related to SB 739 implementation



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SB 739 temporary rules implementation timeline

What changed?

- Alignment with state and federal rules
- Temporary rules usually implemented without community feedback
- Not all Senate Bill 739 included in temporary rules but will be in permanent rules.

Why?

- Operational challenges
- Many pieces require collaboration to be put in place:
 - Policies
 - Procedures
 - Implementation training for elopement

Senate Bill 739 Temporary Rules: Adult foster homes

Description:

- Amends rules to streamline several processes related to safety in adult foster homes
- Requires the department to inspect new homes soon after they open to ensure they are meeting all regulatory requirements
- Allows homes that have a three-year history of substantial compliance to renew their license every two years, instead of annually



Rule chapter and division(s):

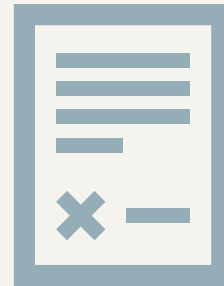
- 411-049
- 411-050
- 411-051
- 411-052

Temporary rules effective Aug. 1, 2026

Senate Bill 739 Temporary Rules: Community-based care

Description:

- Streamlines processes for investigating alleged licensing violations in facilities
- Added new consultant or management entity requirements for minimum qualifications and Request for Application process for licensee with now Oregon community-based care experience
- Requires the department to inspect new facilities soon after they open to ensure they are meeting all regulatory requirements



Rule chapter and division:

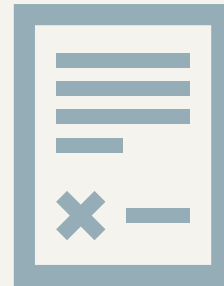
411-054

Temporary rules effective Aug. 10, 2026

Senate Bill 739 Temporary Rules: Memory care community

Description:

- Amends rules to develop stronger standards for regulating memory care facilities
- Establishes the right of residents and family members to form and participate in independent family councils
- Emergency facility closure procedures
- Procedures for when a resident leaves a facility unnoticed (elopement)



Rule chapter and division:

411-057

Temporary rules effective Aug. 11, 2026

Operationalizing Senate Bill 739

Temporary Rules

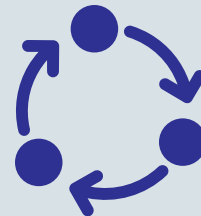


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Operational highlights

Beyond rules: operational supports for implementation

- Policies
- Procedures
- Training development
- Technical guides
- Frequently Asked Questions
- Forms
- Internal/External trainings



Operational highlights

Implementation approach

During the temporary rule period, focus will be on **supporting successful implementation** of the new and revised requirements.



If surveyors identify noncompliance with new or substantially revised temporary rule requirements, SOQ may provide Technical Assistance (TA) rather than issue a licensing citation.

Operational highlights

Hiring highlights: filled or actively in process



We will continue to hire throughout the remaining fiscal year

- Community-based care Policy Team Manager
- Licensing Complaint Supervisor
- Quality Assurance Specialist
- Information Systems Specialist
- Operation Policy Analysts
- Compliance Specialists

Operationalizing Senate Bill 739

Adult foster home temporary rules



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Adult foster homes: operational highlights

Key components of new requirements in temporary rules



90-120-day inspection
of all new providers

- Two-year AFH license issued with a pattern of substantial compliance
- As of September 16, 2026, **52 two-year licenses** have been issued

AFH providers required to
have operational policies
in place

Adult foster homes: operational highlights

Key components of new requirements in temporary rules



- Onsite inspection before an initial license is issued or a current license is renewed
- Mid-cycle inspection



- Definition of Substantial Compliance using reportable metrics to determine eligibility

Adult foster homes: operational highlights

Beyond rules: operational supports for implementation

- SOQ trained on the **eight** operational policies required to be submitted with AFH application and ongoing.
- Created model policies as a resource.

1. Staff and administrator training
2. Service planning
3. Medication administration
4. Food preparation
5. Safety
6. Emergency response
7. Succession planning
8. Closure



Adult foster homes: operational highlights

Collaboration and engagement

- Collaboration with associations and local licensing
- Bi-monthly Provider calls
- Training for providers, administrators, etc.,
- Provider alerts with information about SB739 and temp OARs



Operationalizing Senate Bill 739

Community-based care temporary rules



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Community-based care: operational highlights

Key components of new requirements in temporary rules

- Designate a contact person for newly required notifications
- New applicant / change of ownership qualifications
- New consultant requirements and application process
- Establish licensing complaint unit investigation process in rule
- Outline rule exception process and allowances

Community-based care: operational highlights

Key components of new requirements in temporary rules

- Survey and licensing process notification added to the facility Consumer Summary Form
- Survey inspection between 90-120 days after initial licensure or change of ownership (effective Jan. 2026)
- Facility and Long-Term Care Ombudsman (LTCO) notifications and new timelines for lifting of restrictions (effective March 2026)

Community-based care – operational highlights

Beyond rules: operational supports for implementation

- SOQ developed supporting documents, trainings, processes and procedures.
- Conducted internal and external trainings.

- Consumer summary statement
- Provider training plan
- Consultant Request for Application
 - Application packet
 - Attachment forms
 - Screening and scoring matrix
- Frequently Asked Questions
- Webpage enhancements

Community-based care – operational highlights

Collaboration and engagement

- Department trainings
- Regular meetings with associations, LTCO, and key partners
- Tribal engagement
- Present at conferences and events
- Training for providers and administrators,
- Provider alerts with information about SB739 and temp OARs



Operationalizing Senate Bill 739

Memory care community temporary rules



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Memory care community: operational highlights

Key components of new requirements in temporary rules



Added independent family council



Allows spouse to reside in memory care community



Clarifies admission standards, including assessment requirements and service planning expectations

Memory care community: operational highlights

Key components of new requirements in temporary rules



Updated memory care administrator responsibilities

- Policy requirements around elopement and egress control monitoring
- Elopement response and notification
- Procedures for resident admission and transfer policies
- Emergency evacuation and facility closure

Memory care community – operational highlights

Beyond rules: operational supports for implementation

- SOQ developed various supporting documents, trainings, processes and procedures.
- Conducted internal and external trainings
- Temporary rule guidance alert
- Elopement toolkit (coming soon) to help facilities meet some of the new elopement requirements
- Enhanced resource website
- Memory care community specific external trainings and webinars

Operationalizing Senate Bill 739

Permanent Rules



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SB 739 permanent rules implementation timeline

Present

- Public hearings hosted for all three rulemaking groups in Sept. 2026
 - Refining the rules
 - Preparing policy and survey teams
 - Developing guidance and training
 - Using feedback to inform additional support needs
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What's next

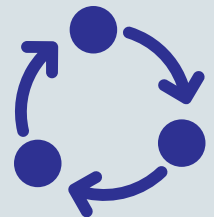
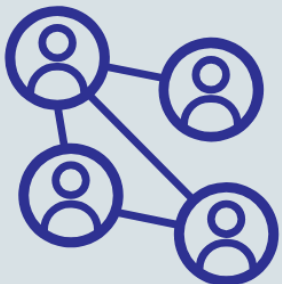
- Finalize the permanent rules
- Communicate what changed
- Train providers and ODHS staff
- Support implementation

Dec. 1, 2026: permanent rules in effect

Operational preparation

What we're doing to prepare

- Ongoing engagement with Tribes, partners, and associations
- Look for trends to determine additional supports and clarification needed
- Continued development of operational supports



Operationalizing Senate Bill 739

Adult foster home permanent rules



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Adult foster homes: operational preparation

Key components of new requirements in permanent rules



- New requirements for two-year license come into place.
- Mid-cycle inspections to begin mid-2027.



- Due to SB 739 there was an attempt to better align other application requirements with licensing cycles

Operationalizing Senate Bill 739

Community-based care permanent rules



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Community based care – operational preparation

Key components of new requirements in permanent rules

- Notification requirements
- Elopement and missing resident policy requirements
- Additional required elements of a resident's evaluation, dates, and signatures
- Updated definitions for designated representative and legal representative to provide clarity

Operationalizing Senate Bill 739

Memory care community permanent rules

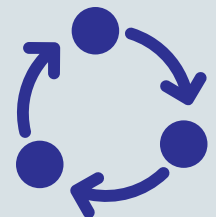
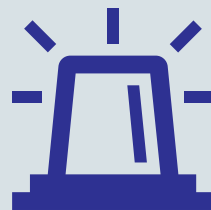


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Memory care community – operational preparation

Key components of new requirements in permanent rules

- Doors and egress systems
- Admissions and transfers
- Emergency Planning
- Training and operations



Other upcoming safety initiatives

Long-Term Care Licensing and Regulatory Dashboard



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Wrap up and next steps

- Continue Tribal, community, and partner engagement
- Continue rulemaking
- Ongoing progress updates
- Send questions to:
apd.directorsoffice@odhsoha.oregon.gov



Thank you!



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