

1915 (c) Waiver changes: Summary of public comments and the Office of Developmental Disabilities Services’ (ODDS) responses

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ODDS gathered public comments from Jan. 28–Feb. 27, 2026, on changes on these waivers:

- Adult’s
- Children’s
- Medically Fragile Model
- Medically Involved Children
- Behavior Model
- Children’s Extraordinary Needs.

Thank you to everyone who gave feedback on the draft waivers. We summarized your comments below. We explain if we used your feedback. This information will be included in the final waivers as required by federal rules.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Supported removing signatures on the Notice of Rights and Freedom of Choice forms. Supported letting more people qualify for Medicaid services.

ODDS response:

Thank you for supporting these changes.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to make rules clearer making sure natural supports are used first before paid supports.

ODDS response:

Thank you for this feedback. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to look at how much it pays for Job Coaching and Supported Living. The Job Coaching rate doesn't encourage providers to reduce support over time. The rate doesn't encourage them to match payment to the actual hours of service they give. The Supported Living rate also does not encourage them to give the level of support people really need.

ODDS response:

Thank you for this feedback. We are working on Job Coaching and Supported Living rates and policies. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to review what "require care by a legally responsible individual" means in the Children's Extraordinary Needs waiver.

ODDS response:

Thank you for this feedback. Senate Bill 91 (2023) says “extraordinary” means a child with very high medical or very high behavior needs, based on the Oregon Needs Assessment. The waiver says that legally responsible individuals can only be paid when giving extraordinary care. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Concerned with the use of designated representatives. Seems to give someone who is not a legal guardian the same responsibilities as a guardian. This goes against Oregon law. Concerned this allows legal guardians to get paid to care for the person they are responsible for. This is not allowed under Medicaid rules. Concerned that paying guardians, parents, and family members is causing more people to sign up for services. Instead of first relying on natural supports like friends, family, and community.

ODDS response:

Thank you for this feedback. During service planning Oregon rules allow a designated representative, including a legal guardian who is not a paid provider, to make decisions with the person. A designated representative has much less authority than a legal guardian. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to collect information on the use of all restraints. Not just those that cause physical injury. This would help the state understand how often restraints are used. Asked the state to have better oversight to reduce the use of restraints.

ODDS response:

Thank you for this feedback. All 1915(c) waivers collect statewide information about wrongful restraints and involuntary seclusion. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to be clearer on the role of the Human Rights Commission. It should be included more in service delivery and in protecting people's rights in Oregon.

ODDS response:

Thank you for this feedback. ODDS is committed to ensuring and protecting individual's rights. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to have more oversight of Standard Model Agencies (SMAs). The state needs to make sure they are financially responsible. They provide quality care. They have enough workers to meet people's needs.

ODDS response:

Thank you for this feedback. ODDS is committed to strong oversight and ensuring accountability for all service providers. This includes SMAs. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Asked the state to review Stabilization and Crisis Unit (SACU). It needs to follow the Home and Community-Based Settings (HCBS) rule. It needs to fit with the Oregon Needs Assessment (ONA).

ODDS response:

Thank you for this feedback. There is current work to change and improve SACU. This work may have future updates in rules, policies or processes. We are not making any waiver changes based on this feedback right now.

Summary of comments received

Comment from: Case management provider

Summary of comments:

Do not support limiting brokerage case management services to private agencies. The private agencies were chosen 25 years ago. There is no process to add new providers. They believe this limits people's choice of providers.

ODDS response:

Thank you for this feedback. Oregon has an approved 1915(b)(4) waiver that allows the state to choose which agencies provide case management. We are not planning to change the case management providers. We are not making any waiver changes based on this feedback right now,

Summary of comments received

Comment from: Case management provider

Summary of comments:

Host homes should be discontinued. Enhanced support should be made available for people where they live.

ODDS response:

Thank you for this feedback. We do not plan to remove Host Homes from the list of approved settings. We are not making any waiver changes based on this feedback right now,

Summary of comments received

Comment from: Case management provider

Summary of comments:

Oregon should not separate services into “residential” and “in home” categories. This would help everyone access the 300% rule in the same way.

ODDS response:

Thank you for this feedback. We are not making any waiver changes based on this feedback right now,

Summary of comments received

Comment from: Case management provider

Summary of comments:

Oregon should move away from waivers that require an institutional level of care. The state should use a system based on the “k” and “i” state plan options. This would help prevent waitlists and remove the need for yearly

level of care reviews. This is repeat work already done during eligibility.

ODDS response:

Thank you for this feedback. We are not making any waiver changes based on this feedback right now.

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