Prior to a temporary rule filing, the Policy Unit and program must receive approval from the Child Welfare Director/Deputy Director. If approval is given, justification must also be submitted to the Secretary of State’s Office in accordance with ORS 183.355(5)(a).

The questions below must be answered with as much detail as available. The responses will then be submitted by the Policy Unit to the CW Director/Deputy Director and Secretary of State for approval.

|  |  |  |  |
| --- | --- | --- | --- |
| Program: | |  | **Program Analyst(s):** |
| Anticipated Effective Date: | Click or tap to enter a date. | | |
| Rule Number(s): |  | | |

Please download a copy and use the [Child Welfare Racial Equity and Social Justice tool (RESJ Tool)](https://www.oregon.gov/odhs/rules-policy/Documents/cw-resj-tool-workbook.pdf) to work on through the duration and development of your project. If there are any questions on how to use the tool or general concerns please reach out to the Equity team by following the link here: [RESJ SharePoint page](https://dhsoha.sharepoint.com/teams/Hub-ODHS-CW-Training/SitePages/RELT.aspx). Child Welfare encourages use of this tool for new rule projects and the review to assess impacts within communities of color and overrepresented and traditionally excluded populations. As well, ensuring reflection and alignment to the guiding principles of the [Vision for Transformation](https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de2445.pdf).

1. Need for the rule(s)?

(a) Is the rule change based on a House and Senate Bill with an emergency clause?

(b) Oregon Revised Statute (ORS) changing?

1. Does this change require ensuring Nine Tribes of Oregon, Tribes, or Tribal Governments have been engaged with for the development of this rule? If yes (or if you are unsure), contact Tribal Consultation Liaisons Emily Hawkins, Christine Kamps, the Office of Tribal Affairs or Ashley Wortman for further guidance. See [Tribal Consultation Policy](https://dhsoha.sharepoint.com/teams/Hub-ODHS-Tribal-Affairs/SiteAssets/Forms/AllItems.aspx?id=%2Fteams%2FHub%2DODHS%2DTribal%2DAffairs%2FSiteAssets%2FSitePages%2FTribal%2DConsultation%2DPolicy%2FOHA%2DODHS%2DTribal%2DConsultation%2Dand%2DUrban%2DIndian%2DHealth%2DProgram%2DConfer%2DPolicy%2Epdf&parent=%2Fteams%2FHub%2DODHS%2DTribal%2DAffairs%2FSiteAssets%2FSitePages%2FTribal%2DConsultation%2DPolicy).
2. When was the program first made aware of the need to amend, adopt or suspend a rule? (Month/Year, Legislation Session, etc.)
3. Specific information on any delays outside the program’s control that prohibited the program or agency from filing timely? Include steps taken to mitigate the issue(s).
4. Describe the specific consequences that result from the failure to immediately adopt, amend or suspend the rule(s).
5. Who would suffer these consequences?

(a) What specific historically excluded communities would be disproportionately impacted?

(b) If there is projected negative impact how does your program plan to mitigate or minimize harm?

1. Why or how failure to immediately take rulemaking action would cause these consequences?
2. How will the temporary action avoid or mitigate those consequences?
3. Any other reason that will justify a temporary filing?