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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 407  
DEPARTMENT OF HUMAN SERVICES

**FILED**

05/10/2024 5:04 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: New rules for the Oregon Department of Human Services Resilience Hubs and Networks grant.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/21/2024 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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Filed By:  
Colleen Needham  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 06/18/2024

TIME: 10:00 AM - 10:30 AM

OFFICER: Colleen Needham

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 971-277-2343

SPECIAL INSTRUCTIONS:

The Public Rules Hearing will be conducted virtually.

Call in Number: 1-971-277-2343

Phone conference ID: 129 589 959#

For people who speak or use a language other than English, people with disabilities or people who need additional support, ODHS provides free help to participate in this meeting. Please contact the Office of Resilience and Emergency Management at [OREM.Operations@odhsoha.oregon.gov](mailto:OREM.Operations@odhsoha.oregon.gov) or 503-373-2366.

NEED FOR THE RULE(S)

Adopting the permanent rules to describe the purpose, eligible activities, application evaluation criteria, reporting and review process for the Resilience Hubs and Networks grant, pursuant to Oregon House Bill 3409 Section 86 (2023 Legislative Session).

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

House Bill 3409 Section 86 (2023 Legislative Session).

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Disruptions disproportionately affect traditionally underprivileged, under resourced, historically marginalized, and disenfranchised populations. These rules will support a grant program that aims to increase the resilience of those populations in Oregon by providing them with resources, technical assistance, and ongoing support.

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**FISCAL AND ECONOMIC IMPACT:**

These rules will have a positive impact on community partner groups, the general population of Oregon, interested parties, and other state agencies. The grant program was appropriated \$10,000,000 to build resilience to disruptions, hazards and emergencies within communities in Oregon. Awards may be in the form of equipment; funds; and/or services provided by third parties to grant awardee.

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**COST OF COMPLIANCE:**

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

(1) Any units of local government, community-based organizations, faith-based organizations, non-governmental organizations and members of the public who are chosen as a grant awardees will experience a positive economic impact.

(2) These rules do not have any cost of compliance effect on small businesses.

(a) Any small business are eligible to apply for the grant.

(b) The expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s) is minimal and based on what grant applicants are applying.

(c) For the 2024 grant period technical support was provided to grant applicants at no cost to them. There is no expected cost for equipment and supplies.

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**DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):**

Over 80 outreach engagements with community leaders were conducted over a six-month period. The information gathered was necessary to inform the rule development process. These engagements and the Rules Advisory Committee included small businesses owners.

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**WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES**

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**RULES PROPOSED:**

407-100-0010, 407-100-0020, 407-100-0030, 407-100-0040, 407-100-0050, 407-100-0060, 407-100-0070, 407-100-0080

ADOPT: 407-100-0010

**RULE SUMMARY:** This rule describes Resilience Hubs and Networks, and the intent of the Resilience Hubs and Networks grant program.

**CHANGES TO RULE:**

**407-100-0010**

**Purpose and Scope**

**(1) OAR 407-100 establishes the Resilience Hubs and Networks Grant Program within the Oregon Department of Human Services (ODHS) Office of Resilience and Emergency Management (OREM). The Program offers grants to organizations or individuals who wish to develop, expand, or strengthen a Resilience Hub or Network in their community.¶**

(2) The purpose of the Resilience Hubs and Networks Grant Program is to empower communities to become more resilient.

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)

RULE SUMMARY: This rule defines terms used within these rules to provide additional clarity.

CHANGES TO RULE:

407-100-0020

Definitions

- (1) "Grant Awardee" means a Resilience Hubs and Networks grant applicant that is selected for a grant.¶
- (2) "Grant Agreement" means the document agreed to and signed by awardee and ODHS that describes the terms and conditions required by ODHS to issue the grant award.¶
- (3) "Grant Applicant" means an organization or individual who submits an application to the Resilience Hubs and Networks Grant.¶
- (4) "Oregon Buys" means a web-based eProcurement system that automates the state of Oregon's procurement process.¶
- (5) "Resilience Hub" means a physical facility that is operated, managed, or supported by one or more of the following that includes but not limited to residents, local governments, tribal governments, public schools, community-based organizations, faith-based organizations, nonprofit organizations, or nongovernmental organizations and that:¶
  - (a) Supports the needs of community members or tribal communities, facilitates gathering and communication, distributes resources and otherwise enhances quality of life within a community;¶
  - (b) Serves as a central point for gathering, information sharing, and coordination in response to a disruption in the community;¶
  - (c) Enhances the ability of a community to respond to and recover from a disruption in a community;¶
  - (d) Is positioned, operated and resourced on a day-to-day basis to provide community resources, including but not limited to food, water, information exchange, electronic charging stations, basic medical supplies and equipment proportionate to the size of the community's population and needs;¶
  - (e) Supports community cache sites and other support for community members who shelter in place;¶
  - (f) Can provide child care, training, food distribution and other services that can help a community respond to unmet social needs to prepare for, respond to and recover from disruption;¶
  - (g) Can provide, or can be retrofitted to provide, heating, cooling, air filtration and weather protection, and;¶
  - (h) Accommodates individuals with accessibility needs.¶
- (6) "Resilience Network" means of the following that includes but not limited to an association of facilities, organizations, resource providers, or service providers outside of a physical Resilience Hub facility that collectively serve the purposes of a Resilience Hub.

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)

ADOPT: 407-100-0030

RULE SUMMARY: This rule describes who is eligible to apply for the grant. This rule also describes the optimum types of grant applications that will be successful in receiving a grant award.

CHANGES TO RULE:

407-100-0030

Eligibility

Individuals or organizations in Oregon are eligible to apply for the Resilience Hubs and Networks grant. In accordance with Oregon House Bill 3409 Section 86 (2023), the Office of Resilience and Emergency Management (OREM) encourages grant applications that describes activities that may include but are not limited to:

(1) Supporting the needs of community members, tribal community members, or both, to facilitate gatherings and communications, distribute resources and otherwise enhance quality of life within a community;

(2) Serves as a central point for gathering, information sharing, and coordination in response to a disruption in the community;

(3) Enhances the ability of a community to respond to and recover from a disruption in a community;

(4) Support a Resilience Hub that is operated and resourced on a day-to-day basis to provide community resources, including but not limited to food, water, information exchange, electronic charging stations, basic medical supplies and equipment;

(5) Supports community resilience by providing supply sites and other support for community members who shelter in place;

(6) Can provide resources such as child care, training, food distribution, language and literacy and other services that can help a community respond to unmet needs to prepare for, respond to and recover from disruption;

(7) Can provide, or can be retrofitted to provide, heating, cooling, air filtration and weather protection, and;

(8) Accommodates individuals with accessibility needs to prepare for, respond to, and recover from disruption.

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)

ADOPT: 407-100-0040

RULE SUMMARY: This rule describes the type of information required in a grant application to be successful in competing for a grant award.

CHANGES TO RULE:

407-100-0040

Evaluation Criteria

Individuals or organizations may apply for grants by submitting an application that must include:

(1) A description of what resources you are applying for; ¶

(2) A description how those resources will build resilience in a community; ¶

(3) A description of additional resources, such as other grant opportunities, equipment, collaboration with other community groups, or staffing, available for purposes of the Resilience Hub or Network; ¶

(4) A description of the project's ability to serve vulnerable populations and communities traditionally underrepresented in the public process, including communities of color, historically marginalized communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure, seniors, youth, and persons with disabilities; ¶

(5) Any other information required by Oregon Department of Human Services, Office of Resilience and Emergency Management.

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)

ADOPT: 407-100-0050

RULE SUMMARY: This rule describes the scoring rubric for the objective scores based on an application's address. This rule also describes the scoring rubric for an application's short essay questions.

CHANGES TO RULE:

407-100-0050

Technical Review Process

(1) Applications will be scored on objective criteria and subjective essay questions, which will be combined to calculate a combined total score. An application's total score will be used to determine funding decisions.¶

(2) Objective score tool: The objective score will be based upon the physical address submitted in the application. That address should be representative of the community that is intended to be impacted.¶

(3) Subjective scoring tool: Applicants will be required to answer essay questions. A review panel will read the applicants' essays and apply scores to each answer based on the subjective scoring tool.¶

(4) The overall score will be a combination of the objective score and the subjective score. NOTE: See attached rubric.

Statutory/Other Authority: HB 3409 Section 86 (2023);, ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023);

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

**Resilience Hub and Network Grant ASSESSMENT RUBRIC**

SOCIAL			
Map/Layer	Description	Points	Reference
Social Vulnerability Index	High (.7501-1.0)	4	<a href="#">CDC Social Vulnerability Index</a>
	Medium-High (.5001-.7500)	3	
	Low-Medium (.2501-.5001)	2	
	Low (0-.2500)	1	
	None	0	
Population Per Square Mile based on 2017-2021 Census	0-174 per sq. mile	8	<a href="#">EJScreen</a>
	174-1,282 per sq. mile	6	
	1,282-3,213 per sq. mile	4	
	3,213-6,498 per sq. mile	2	
	6,498-310,137 per sq. mile	0	
Particulate Matter 2.5	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
Less than 50%	0		
People of Color	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
Less than 50%	0		
Low Income	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	



	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Limited English Speaking	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Over Age 64	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Persons with Disabilities	95-100%	12	<a href="#">EJScreen</a>
	90-95%	10	
	80-90%	8	
	70-80%	6	
	60-70%	4	
	50-60%	2	
	Less than 50%	0	
Wildfire Risk	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Broadband Gaps	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	

	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Lack of Health Insurance	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Housing Burden	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Transportation Access	95-100%	6	<a href="#">EJScreen</a>
	90-95%	5	
	80-90%	4	
	70-80%	3	
	60-70%	2	
	50-60%	1	
	Less than 50%	0	
Food Desert	Yes	6	<a href="#">EJScreen</a>
	No	0	
<b>ESSAY QUESTIONS</b>			
	Question	Points	Evaluation of essay

	Please describe your plan for implementing specific strategies to build resilience in a community, illustrating how this resource will serve the community every day.	5  4  3  2  1	Perfect answer. All points addressed. All points relevant. Good examples.  Good answer. Relevant information. All or most points covered. Good examples.  Some points covered. Relevant information given. Some examples given.  A few good points but main issues missing. No examples/irrelevant examples given.  No answer given or answer completely irrelevant. No examples given.
	How will this resource support the community during a disaster?	5  4  3  2	Perfect answer. All points addressed. All points relevant. Good examples.  Good answer. Relevant information. All or most points covered. Good examples.  Some points covered. Relevant information given. Some examples given.  A few good points but main issues missing. No examples/irrelevant examples given.

		1	No answer given or answer completely irrelevant. No examples given.
	Provide a description of the project's ability to serve vulnerable populations and communities traditionally underrepresented in the public process, including communities of color, communities experiencing lower incomes, tribal communities, rural communities, coastal communities, communities with limited infrastructure, seniors, youth and persons with disabilities.	5	Perfect answer. All points addressed. All points relevant. Good examples.
		4	Good answer. Relevant information. All or most points covered. Good examples.
		3	Some points covered. Relevant information given. Some examples given.
		2	A few good points but main issues missing. No examples/irrelevant examples given.
		1	No answer given or answer completely irrelevant. No examples given.
	Provide a description of additional resources available for purposes of the Resilience Hub or Network you are applying.	5	Perfect answer. All points addressed. All points relevant. Good examples.
		4	Good answer. Relevant information. All or most points covered. Good examples.
		3	Some points covered. Relevant information given. Some examples given.

		2	A few good points but main issues missing. No examples/irrelevant examples given.
		1	No answer given or answer completely irrelevant. No examples given.
	Please describe current collaborations with other community organizations and your local/county emergency management office. If applicable attach letters of support.	5	Perfect answer. All points addressed. All points relevant. Good examples.
		4	Good answer. Relevant information. All or most points covered. Good examples.
		3	Some points covered. Relevant information given. Some examples given.
		2	A few good points but main issues missing. No examples/irrelevant examples given.
		1	No answer given or answer completely irrelevant. No examples given.
	If you are awarded a grant, describe how you plan to communicate the awarded resources to the community.	5	Perfect answer. All points addressed. All points relevant. Good examples.
		4	Good answer. Relevant information. All or most points covered. Good examples.

		3	Some points covered. Relevant information given. Some examples given.
		2	A few good points but main issues missing. No examples/irrelevant examples given.
		1	No answer given or answer completely irrelevant. No examples given.

ADOPT: 407-100-0060

RULE SUMMARY: This rule creates the ability of OREM to fund grant awards in-part or in-whole.

CHANGES TO RULE:

407-100-0060

Funding Decision

Awards may be funded in-whole or in-part.

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)

ADOPT: 407-100-0070

RULE SUMMARY: This rule describes the parameters and conditions of grant awards.

CHANGES TO RULE:

407-100-0070

Grant Agreement Conditions

(1) Awards may not be used as pass-through funds; grant awards will be issued directly to the individual or organization that will be using the awarded resources.

(a) If an organization is designated to apply for the grant on behalf of other organizations, one organization can then apply for funding or equipment and then pass it along to another organization the application must include:

(A) The name(s) of the other organization(s) to whom you intend to pass the funding or equipment; and

(B) A letter of support from those partner organization(s), which includes information regarding what the funding will be used for.

(b) In addition to the items listed below in section (3) of this rule, an awardee's final report must also include:

(A) Documentation that proves the funding or equipment was delivered to the named organization(s) in the application; and

(B) Documentation that proves the funding or equipment was used for the purposes as stated in that application and grant agreement.

(2) Awardees will be required to register in Oregon Buys to establish and store the grant agreement and to receive their funding award.

(3) Awardees will be required to submit a report within 360 days after grant agreement is signed by all parties and entered into Oregon Buys, which describes:

(a) How funds were allocated;

(b) How the resource impacted the community;

(c) How the existence of the new resource was communicated to the community; and

(d) Submission of photographs of the new resource(s).

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)



ADOPT: 407-100-0080

RULE SUMMARY: This rule describes the ability to waive requirements of these rules in-writing when doing so will result in a more efficient outcome or an outcome that is more aligned with the intent of the grant program than an alternative.

CHANGES TO RULE:

407-100-0080

Waiver and Periodic Review of Rules

The Oregon Department of Human Services, Office of Resilience and Emergency Management may waive the requirements of these rules for any grant applications unless required by statute, when doing so will result in more efficient or effective implementation of the Resilience Hubs and Networks grant program. Any waiver must be in writing and included in the grant file to which the waiver applies. The administrative rules for monitoring grants may be periodically reviewed by the OREM staff and revised as necessary and appropriate.

Statutory/Other Authority: HB 3409 Section 86 (2023), ORS 409.050

Statutes/Other Implemented: HB 3409 Section 86 (2023)