

Policy Transmittal Aging and People with Disabilities



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Number: APD-PT-23-011

Issue date: 5/17/2023

Topic: Provider Information

Due date:

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Types A and B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children’s Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Homecare Workers Enrolled in the Consumer-Employed Provider Program		
Policy/rule number(s):	411-031-0020 thru 411-031-0050	Release number:	
Effective date:		Expiration date:	
References:			
Web address:	https://www.oregon.gov/DHS/SENIORS-DISABILITIES/SPPD/APDRules/411-031.pdf		

Discussion/interpretation:

Chapter 411, Division 031, Homecare Workers (HCWs) enrolled in the Consumer-Employed Provider Program permanently changed on 3/1/2023. Changes that affect local office procedures are as follows:

Provider Enrollment Changes:

A local office can deny an initial application if a HCW does not meet the new Provider Enrollment Standards in 411-031-0040(8)(b)(A)-(R). [Please click here](#)

[and then scroll down to review new Provider Enrollment Standards in 411-031-0040\(8\).](#)

A local office cannot, at any time, deny a renewal application.

- **If a local office has reasonable cause to believe an HCW does not meet provider enrollment standards and the HCW should not be renewed, a termination referral (DHS 2680) should be sent to hcw.terminations@odhsoha.oregon.gov with all available evidence to support the denial of the HCW's provider enrollment.**
- **The violations resulting in denial of renewal application, proposed termination or immediate suspension of a provider enrollment has been expanded. [Please click here and then scroll down to review all the violations](#) in 411-031-0050(3).**

Local office termination notices have been updated.

- 0631i – Used to inactivate an HCW provider number when they are not actively working but being investigated by Adult Protective Services and imminent danger exists.
- 0631i_v0.01 - Used when:
 - An HCW verbally resigns.
 - An HCW has failed to sign a new provider enrollment application and agreement (PEA).
 - An HCW has failed to complete the background check process.
- 0613c - Used to notify an HCW that they have been terminated by the background check unit for criminal history.
- 0631d - Used to deny initial HCW applications.
- 2680 - The termination referral has been updated with new rules. When this referral is sent to central office, the local office sends a copy to the HCW.

Central office now has three types of notices to issue an HCW.

- Notice of Proposed Denial of Renewal Enrollment Number
- Notice of Proposed Termination of Homecare Worker Provider Enrollment
- Notice of Immediate Suspension of Homecare Worker Provider Enrollment

Due Process has been changed to align with the Administrative Procedures Act (APA).

If an HCW is issued a “Notice of Proposed Denial of Renewal Enrollment Number” or a “Notice of Proposed Termination of Homecare Worker Provider Enrollment”, they now have **60 days** to continue working before the provider number will be terminated. If the HCW request a hearing within those 60 days, the HCW will be allowed to work pending a final order from an Administrative Law Judge. This

means that if the HCW is working while a contested case hearing is pending, the local office continues to authorize hours, if needed.

If an HCW is issued a "Notice of Immediate Suspension of Homecare Worker Provider Enrollment," the HCW will be suspended immediately and cannot work. The HCW will have **90 days** to request a hearing. The provider number remains terminated pending the outcome of the hearing. The local office will need to stop all authorizations.

Implementation/transition instructions: Local offices need to review 411-031-0020 through 411-031-0050.

Training/communication plan: Local office notices have been updated and are available on the [Forms](#) server. The forms have also been posted on the Homecare Worker (HCW) page on the [CM Tools](#) website under the Forms section.

Local/branch action required: Local offices should review 411-031-0020 through 411-031-0050 and follow transmittal as to denial of HCWs renewal application.

Central office action required: Provide local office support.

Field/stakeholder review: Yes No

If yes, reviewed by: Operations and Policy Review

Filing instructions:

If you have any questions about this policy, contact:

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