
Measure 110

Grant Compliance & Enforcement

September 2023



Call for conflicts:

Origins Faith Community (Outreach Initiative)

Malheur County

We want to remind everyone that this discussion will be occurring in a public meeting, which is livestreamed and recorded for public viewing. We need to be mindful to focus on discussing facts that OHA has provided to you about this matter and that OHA has provided in this meeting. You should refrain from discussing information you may have received outside of your role as an OAC member. If you have other information that you think OHA or OAC needs to review related to this grant, please reach out to OHA directly.

OAC and OHA General Roles

OAC's general role	OHA's general role
<p>Decide who receives funds</p> <p>Examples:</p> <ul style="list-style-type: none">• Select grantees• Decide whether to amend, terminate, or extend a grant agreement <p>Set the requirements for grantees by making rules and approving the form of grant agreement</p>	<p>Administer the grant agreement in the form approved by OAC</p> <p>Examples: OHA ensures:</p> <ul style="list-style-type: none">• Required reports are submitted• Payments are tracked, and• Other requirements are met under the OAC-approved grant agreement

OHA and OAC roles when there is a complaint about a grantee

- **OHA's role**

- Review complaint information to follow up or make appropriate referrals
- Offer technical assistance, if appropriate
- Request that the grantee cure the deficiency within 14 days
- Inform the OAC, if OHA finds that the grantee is substantially out of compliance with the grant agreement

- **OAC's role**

- Decide the next action from those listed in the agreement (e.g. termination, withholding funds, or lawsuit)
- Request that OHA implement the OAC decision (e.g. sending written notices)

Legal options for enforcing grant requirements

As set by the current grant agreement, OAC can:

- If the grantee is in default (materially not complying with requirements) :
 - Withhold all or part of the funds that have not yet been paid
 - Terminate the grant agreement
 - File a legal action to collect damages, compel specific performance, or seek other relief
- If there's a threat to health, safety, welfare: Terminate the grant agreement immediately in writing
- At any point, demand that the grantee return grant funds that were spent in violation of the grant agreement (“misexpended funds”).

Origins Faith Community (Malheur County)

- Funded to provide:
 - Screenings & assessments
 - SUD treatment
 - Peer services
 - Housing
 - Harm Reduction
 - Supported employment
- Total grant NTE: \$616,152

Timeline

- **November 2022:** OHA received notice that Origins' Director and Peer Supervisor Counselor had left the organization.
- **December 31, 2022 and January 15, 2023:** Deadline for Q1 expenditure data, Q2 program data. Origins did not submit. OHA made at least two attempts to communicate to Origins to ensure compliance.
- **January 31, 2023:** OHA receives Q1 expenditure and program data. The two reports could not be reconciled as Origins reported program data for peer services and harm reduction service and expenditure data for all other services areas.

Timeline, cont'd

- **March 31, 2023 and April 17, 2023:** Q2 expenditure and program data are due. Origins did not submit. OHA made at least three attempts to communicate to Origins to ensure compliance.
- **May 2023:** OHA received a community complaint that additional executive leadership at Origins had resigned and that the M110-funded peer drop-in center had closed.
- **May 2023:** OHA issued a Notice to Cure because Origins had not submitted Q2 expenditure or data reports (due March 31 and April 17). OHA also issued a request for information related to the community complaint.
- **May 30, 2023:** Deadline for Notice to Cure, RFI. Origins submitted Q2 expenditure and data reports but did not respond to RFI. The two reports could not be reconciled as Origins reported providing zero housing services or needs assessments and reported expenditure data for both services areas.

Timeline cont'd:

- **June 30 and July 17, 2023:** Q3 expenditure and program data reports due. Origins did not submit. OHA made at least four attempts to communicate to Origins to ensure compliance.
- **July 6, 2023:** OHA received a notice from a former employee of Origins indicating the organization was dissolving and wished to end the grant agreement after completing the current quarter. Subsequent phone calls, emails, and voicemails by OHA to Origins for confirmation went unanswered - it was unclear who was still working at the organization or if the individual had authority to make this request.
- **July 14, 2023:** OHA received Q3 program data. It contained numerous errors and inconsistencies.
- **July 30, 2023:** OHA received notice from an Origins Board Member asking for grant details to continue in the program and indicating the primary service Origins was performing was a meal services Monday – Friday.

Timeline cont'd

- **August 8, 2023:** OHA received Q3 expenditure data. The two Q3 reports could not be reconciled as there were so many errors in the data report it was impossible to ascertain what services were being provided.
- **August 10, 2023:** OHA issued second Notice to Cure because of Origins' failure to report on accurate Q3 financial and program data. OHA also asked for updated contact information for the organization and for documentation that Origins was providing M110 services. OHA also sent a copy of the grant agreement in response to the request for more information about the grant.
- **August 18, 2023:** OHA did not receive updated reports, contact information, or documentation to show Origins is providing any M110 services.
- As of **Today**, Origins Faith Community (Outreach Initiative) is not a business that is legally registered with the Oregon Secretary of State.

Summary

- Origins is consistently late in expenditure, data reporting and each submitted report is full of inconsistencies and errors. M110 staff must issue multiple reminders in order to regain compliance.
- Origins does not have a primary point of contact and routinely ignores OHA requests for information.
- Taken together, it is unclear to what extent Origins is providing M110-funded services.
- Finally, a former employee of Origins had asked to withdraw from the M110 program. It is unclear if this individual had authority to make that request or what date they wished that to be effective.

Option #1

OAC moves to withhold all funds not yet disbursed by the OAC to Origins Faith Community under grant agreement section 8(a)(4) based on its failure to cure violations of the reporting requirements in Exhibit A, Part 1, Section 4 (Reporting) of the grant agreement.

OAC gives grantee 30 days from today's date to provide all information to come into compliance. OAC will review the information and reserves its right to terminate the grant agreement or take any other appropriate actions under the grant agreement.

Option #2

- OAC moves to terminate grant agreement with Origins Faith Community, as they are out of compliance with the reporting terms outlined in Exhibit A, Part 1, Section 4 (Reporting) of the grant agreement, and has not provided additional information requested by OHA. If OHA determines there have been misexpended funds; OHA may take action to seek return of grant funds.