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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 333

OREGON HEALTH AUTHORITY

PUBLIC HEALTH DIVISION

FILED: 05/26/2026 4:28 PM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Healthy Homes Grant Program - housing improvements for seniors and individuals with disabilities

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/22/2026 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:

Public Health Division

Rules Coordinator

HEARING(S)

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

DATE: 06/15/2026

TIME: 10:00 AM

OFFICER: Staff

REMOTE HEARING DETAILS

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

PHONE NUMBER: 971-277-2343

CONFERENCE ID: 80996540

SPECIAL INSTRUCTIONS:

This hearing is being held remotely via Microsoft Teams. To provide oral (spoken) testimony during this hearing, please contact publichealth.rules@odhsoha.oregon.gov to register to receive the link for the Microsoft Teams video conference via calendar appointment, or you may access the hearing using the meeting URL above. Alternatively, you may dial 971-277-2343, Phone Conference ID 809 965 40# for audio (listen) only. This hearing will close no later than 11:00AM but may close as early as 10:30AM if everyone who signs up to provide testimony has been heard from.

Accessibility Statement: For individuals with disabilities or individuals who speak a language other than English, OHA can provide free help. Some examples are: sign language and spoken language interpreters, real-time captioning, braille, large print, audio, and written materials in other languages. If you need help with these services, please contact the Public Health Division at 971-673-1222, 711 TTY or publichealth.rules@odhsoha.oregon.gov at least 48 hours before the meeting. All relay calls are accepted. To best ensure our ability to provide a modification please contact us if you are considering attending the meeting and require a modification. The earlier you make a request the more likely we can meet the need.

NEED FOR THE RULE(S):

These proposed permanent rule amendments establish definitions necessary to implement HB 3506 (Oregon Laws 2025, chapter 509), which appropriates \$3,000,000 from the General Fund to the Healthy Homes Repair Fund for the biennium beginning July 1, 2025. By funding essential home repairs, the Healthy Homes Grant Program (HHGP) helps low-income families improve indoor air quality, reduce medical costs, and lower energy bills. The funds appropriated by HB 3506 support housing improvements for seniors and individuals with disabilities, including installation of accessibility modifications. Clear definitions are necessary to ensure consistent interpretation and application of program requirements and eligibility criteria.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 3506 (Oregon Laws 2025, chapter 509) –
<https://olis.oregonlegislature.gov/liz/2025R1/Measures/Overview/HB3506>

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

The adoption of these rule amendments will help ensure equitable access to housing repair and accessibility resources for seniors and individuals with disabilities, including individuals from historically marginalized communities, including communities of color. By defining key terms, the rules will promote clarity and fairness in program administration and support the Oregon Health Authority's commitment to health equity.

FISCAL AND ECONOMIC IMPACT:

The rule amendments themselves do not create a fiscal impact; however, HB 3506 (2025) appropriates \$3,000,000 to the Healthy Homes Repair Fund. These funds will be distributed through grants to eligible entities, resulting in investments in local economies statewide. Funds will be used for housing improvements and accessibility modifications, generating economic activity through payments to contractors, retailers, and service providers, and improving property values and generating energy savings for individuals receiving services.

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) There is no anticipated cost of compliance impact on state agencies, units of local government or the public. These rules provide definitions and do not impose compliance obligations on state agencies, local governments, or the public.

(2)(a) While these rules define terms and do not directly regulate small businesses, some small businesses may be indirectly affected if they are eligible entities that choose to apply for funding through the Healthy Homes Grant Program (HHGP). Potentially affected small businesses could include mission oriented construction firms,

weatherization contractors, nonprofit housing or community service organizations, and other entities involved in home repair or health related housing services.

The Oregon Health Authority does not possess the information needed to accurately estimate the number of small businesses that may meet the eligibility criteria for HHGP funding or may otherwise be subject to the effects of these rules.

(b) Although Healthy Homes Grant Program (HHGP) grantees that meet the definition of small business will be required to comply with these rules, the projected cost of compliance is minimal. Administrative activities include verifying participant age and income, collecting and reviewing supporting documentation, and maintaining required records for monitoring or audit purposes. These functions are consistent with standard eligibility determination and recordkeeping practices commonly performed by entities administering means or age-based benefit programs. It is anticipated that these tasks can be completed using existing staff resources, and no additional professional services are expected to be necessary.

(c) As stated above, the definitions included in these rules are anticipated to make compliance with program rules easier, not more difficult, and should not increase the equipment, supplies, labor, or administrative resources already required to comply with program rules.

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

Small businesses (non-profit eligible entities) were invited to participate in the rule advisory committee.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 333-090-0100

RULE SUMMARY: Amend OAR 333-090-0100 to add definitions for the terms "Individuals with disabilities", "Major life activities", "Older Adult", and "Seniors", which are necessary to implement HB 3506 (Oregon Laws 2025, chapter 509)

CHANGES TO RULE:

333-090-0100

Definitions

The following definitions apply in ~~these rules~~ OAR chapter 333, division 90, as well as the definitions provided in ORS 431A.400:¶

(1) "Acquire" means to come into possession of or obtain ownership of, whether directly or indirectly, through a sale, trade, exchange, or other transaction.¶

(2) "Administrative expense" means a cost incurred by an organization for the general management, oversight, and coordination of the grant activities identified in the grant agreement.¶

(3) "Authority" means the Oregon Health Authority.¶

(4) "Awarded funds" means funds received by the grant program recipient from the Healthy Homes Grant Program.¶

(5) "Eligible entity" means a local government as defined in ORS 174.116, local housing authority, nonprofit organization, Federally Recognized Tribe in Oregon, Indian health center, coordinated care organization as defined in ORS 414.025, community action agency as described in ORS 458.505, manufactured dwelling park nonprofit cooperative as defined in ORS 62.803, an electric utility as defined in ORS 757.600, or a natural gas utility as defined in ORS 757.392.¶

(6) "Grant" has the meaning provided in OAR 137-045-0010.¶

(7) "Grant agreement" means an agreement setting the conditions for the provision of a grant provided under these rules.¶

(8) "Grant program recipient" means an eligible entity that has been awarded a grant from the Authority under these rules.¶

(9) "Individuals with disabilities" means persons with physical or mental impairments that substantially limits one or more major life activities.¶

(10) "Low-income household" means:¶

(a) A household having an income equal to or below 80 percent of the area median family income as defined by the U.S. Department of Housing and Urban Development's (HUD) Income Limits Documentation System, calculated using the Oregon county of residence and number of residents for the household in question; or¶

(b) With respect to a grantee that is a Federally Recognized Tribe in Oregon or the Urban Indian Health Program, the Oregon state median income.-¶

Note: The HUD's Income Limits Documentation System is available online at:

<https://www.huduser.gov/portal/datasets/il.html> or on file with the Authority.¶

(101) "Major life activities" refers to the expanded definition provided in the Americans with Disabilities Act (ADA) Amendments Act of 2008 (ADAAA), which includes "major life activities" and "major bodily functions".¶

(a) "Major life activities" include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.¶

(b) "Major bodily functions" include, but are not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.¶

(12) "Nonprofit organization" means an organization or group of organizations that is described in section 501(c)(3) of the Internal Revenue Code and is exempt from income tax under section 501(a) of the Internal Revenue Code.¶

(143) "Older adult" means any person 55 years of age or older (See also: "Senior").¶

(14) "Program" means the Oregon Health Authority, Public Health Division's Healthy Homes Grant Program.¶

(125) "Program cost" refers to a cost specifically related to the performance of household repair and rehabilitation activities, as allowed under the Program.¶

(136) "Program delivery cost" refers to a cost which directly supports the Program's mission of improving housing conditions for low-income Oregonians.-¶

(147) "Repair and rehabilitation" include actions that:¶

(a) Maximize energy efficiency of residences;-¶

(b) Extend the usable life of residences; or-¶

(c) Improve the health and safety of the occupants of residences, including radon abatement, lead abatement, mold and mildew abatement, installation of a smoke filtration system, an air purification system or ventilation or reduction of pathways for air infiltration, removal of asthma or allergen triggers, structural or safety improvements that increase accessibility or visitability, improvements that make homes more fire resistant, and structural or safety improvements that promote seismic resiliency, improvements that reduce the reflection of heat on or around the home, including improvements related to trees, vegetation, green roofs or cool roofs, and electrical upgrades that improve the safety of the home or support or enable the use of energy efficient upgrades such as heating or cooling devices.¶

(158) "Residence" means a dwelling that is intended for occupation by one or more individuals who are members of a low-income household as the individuals' principal residence, including a site-built home, manufactured home, residential trailer, mobile home, condominium unit or unit within multifamily housing.¶

(169) "Responsible party" means the individual associated with the eligible entity who is the point of contact concerning any information provided to the Authority in the grant application.¶

(20) "Senior" means any person 55 years of age or older (See also: "Older adult").¶

(217) "Smoke filtration system" means a residential air filtration system that meets minimum efficiency standards, as determined by the Authority, for the removal of particulates and other harmful substances generated by wildfires.¶

(1822) "These rules" means OAR 333-090-0100 through 333-090-0140.

Statutory/Other Authority: ORS 431A.400

Statutes/Other Implemented: ORS 431A.400