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OREGON ADMINISTRATIVE RULES
OREGON HEALTH AUTHORITY, PUBLIC HEALTH DIVISION
CHAPTER 333

DIVISION 28

SCHOOL-BASED HEALTH PROGRAMS
School-Based Health Center Program

333-028-0200

School-Based Health Center Program: Purpose

The school-based health center (SBHC) ~~program~~Program supports communities in promoting the health and well-being of the school-age population through the evidence-based best practice within a public health framework. These rules (OAR 333-028-0200 through 333-028-~~0250~~0260) establish the procedure and criteria the Oregon Health Authority shall use to certify, suspend and decertify SBHCs. Certification of a SBHC by the SBHC state ~~P~~program is voluntary; an operating clinic is free to choose not to participate in certification and still operate. Only certified SBHCs are eligible for funding from Oregon Health Authority.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 15-2013, f.12-26-13, cert. ef. 1-1-14

333-028-0210

School-Based Health Center Program: Definitions

(1) "Authority" means the Oregon Health Authority.

(2) "Behavioral health" includes mental health, integrated behavioral health, substance use treatment and other services designed to support mental or emotional wellness.

(3) "Behavioral health sponsor" is an entity that provides, or subcontracts with a separate entity to provide, behavioral health care and related services at a SBHC.

(4) "Behavioral health sponsor transfer" means the permanent transfer of the SBHC behavioral health sponsor role and responsibilities from one behavioral health sponsor to another.

(~~25~~) "Certification year" means a one-year period beginning on July 1 and ending on June 30.

(~~36~~) "Electronic health record (EHR)" means an electronic record of an individual's health-related information that conforms to nationally recognized interoperability standards and that can be created, managed and consulted by authorized clinicians and staff across more than one health care provider.

(~~47~~) "Electronic medical record (EMR)" means a digital version of a paper chart that contains all of the patient's medical history from one practice. ~~An EMR is, used~~ mostly ~~used~~ by providers for diagnosis and treatment.

(8) "Medical sponsor" is an entity that provides, or subcontracts with a separate entity to provide, medical care and related services at a SBHC.

(9) "Medical sponsor transfer" means the permanent transfer of the SBHC medical sponsor role and responsibilities from one medical sponsor to another.

(10) "Permanent SBHC location change" means permanently moving the physical location of a SBHC to a different location within the existing grounds of the school.

(11) "Permanent SBHC location transfer" means permanently moving the certification of a SBHC to the grounds of a new school.

(~~12~~5) "Program" means the Oregon Health Authority, Public Health Division, ~~school-based health center~~ SBHC ~~P~~program.

(~~613~~) "School-based health center" (SBHC) has the meaning given the term in ORS 413.225.

(~~714~~) "SBHC system" is one or more SBHCs that operate under the same sponsoring agency.

(~~815~~) "Sponsoring agency" is an entity that provides ~~the following services for a SBHC~~ or subcontracts with another entity to ~~routinely provide services for a SBHC on an ongoing basis, one or more of the following services for a SBHC:~~

(a) ~~Funding;~~

~~(b) Staffing;~~

~~(c) Medical oversight;~~

~~(d) Liability insurance; and~~

~~(e) Billing support.~~

~~and related services but not limited to~~ and related services but not limited to
~~includes means medical sponsor means behavioral health sponsor means~~
~~to a different location~~ means

~~(156)~~ "These rules" means OAR 333-028-0200 to 333-028-XXXX0260.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 15-2013, f.12-26-13, cert. ef. 1-1-14

333-028-0220

School-Based Health Center Program: School-Based Health Center Program: Certification Requirements

In order to be certified as a SBHC, a SBHC must meet all requirements for certification in the following sections of the SBHC Standards for Certification, Version 45, incorporated by reference.

(1) Sponsoring agency, section B.1;

(2) SBHC roles, section B.2;

(3) Applicability, section B.3;

(4) SBHC sSponsoring aaAgency ecCollaboration, section B.4;

(5) Youth engagement, section B.5;

(6) School integration, section B.6;

(7) Parent/caregiver involvement, section B.7;

(8) Community engagement, section B.8;

~~(29)~~ SBHC fFacility, section C.1;

(10) Publicly available information, section C.2;

(11) Youth-centered clinical environment, section C.3;

~~(312)~~ Hours of operation and staffing, section D.1;

~~(413)~~ Eligibility for and consent for SBHC services, section D.2;

[\(14\) Confidentiality, section D.3;](#)

[\(515\) Policies and procedures, section D.34;](#)

[\(16\) Staff training, section D.5;](#)

[\(17\) Equitable access, section E.1;](#)

[\(18\) Language access, section E.2;](#)

[\(19\) Health related social needs, section E.3;](#)

[\(6\)20\) Comprehensive pediatric health Servicescare, section EF.1;](#)

[\(21\) Service referral, section F.2;](#)

[\(722\) Immunizations, section EF.23;](#)

[\(823\) Equipment, section EF.34;](#)

[\(924\) Medications, section EF.45;](#)

[\(1025\) Laboratory, section EF.56;](#)

[\(1126\) Data collection, section FG.1;](#)

[\(1227\) Data variables, section FG.2;](#)

[\(1328\) Data reporting, section FG.3; and](#)

[\(1429\) Billing, section GH.1.](#)

[Publications: Publications referenced are available from the agency.]

[\[ED. NOTE: To view attachments referenced in rule text, click here to view rule.\]](#)

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 40-2016, f. 12-22-16, cert. ef. 7-1-17

PH 18-2015, f. 9-30-15, cert. ef. 10-1-15

PH 9-2015(Temp), f. & cert. ef. 5-6-15 thru 11-1-15

PH 15-2013, f.12-26-13, cert. ef. 1-1-14

333-028-0230

School-Based Health Center Program: Application and Certification Process; Renewal

~~thePmake any of the following s, no less than 30 days before the change~~

~~occurs:~~ [\(11\)](#) An individual with legal authority to act on behalf of the entity that ~~operates administers~~ a SBHC may apply for certification of a SBHC by

submitting a SBHCa SBHC Certification Application application to the Pprogram, ~~via electronic mail to the program's electronic mail address posted on the program's website or by mail to the mailing address posted on the program's website, www.healthoregon.org/sbhc.~~

(a) Instructions ~~and criteria~~ for submitting an application SBHC Certification Application to become a certified SBHC ~~is are~~ posted on ~~the program's website~~www.healthoregon.org/SBHC.

(b) An individual may submit an application for more than one SBHC provided that each SBHC will be administered by the same entity and each SBHC individually meets the certification requirements.

(22) The Program shall review the application wWithin 30 calendar days of ~~of receiving an application the program shall review the application~~receipt to determine whether it is complete.

(33) If the Pprogram determines that the application is not complete, it will be returned to the applicant for completion and resubmission.

(44) If the programProgram determines that the application is complete it will be reviewed to determine if it meets certification requirements described in OAR 333-028-0220. If the programProgram determines that on the face of the application and in reviewing any other applicable documents that the SBHC meets the certification requirements the programProgram shall:

(a) Inform the applicant in writing that the application has been approved and that the SBHC is certified; and

(b) Instruct the applicant to complete the programProgram's online Operational Profile ~~forms~~ and a date by which ~~the forms~~it must be completed.

(55) Once the application has been approved the programProgram will schedule an on-site verification review in accordance with OAR 333-028-0240.

(66) If a SBHC does not meet certification requirements in their certification application, the programProgram may choose one of the following actions:

(a) The programProgram may deny SBHC certification if the SBHC does not meet the certification requirements in OAR 333-028-0220 of these rules.

(A) The programProgram will provide the applicant with an explanation clear description of the reasons for denial based on the certification requirements in the denial letter.

(B) An applicant may request that the programProgram reconsider the denial of SBHC certification. A request for reconsideration must be submitted in writing to the programProgram within 90 calendar days of the date of the denial letter and must include a detailed explanation of why the applicant believes the programProgram's decision is in error along with any supporting documentation.

(C) The programProgram shall inform the applicant in writing whether it has reconsidered its decision; or

(b) The programProgram may approve the applicant's SBHC certification ~~based on an agreed upon timeline for~~ subject to entering into a corrective action plan ~~that contains a timeline for coming into compliance with meeting for~~ the non-compliant requirements. The ~~site~~ SBHC must submit a waiver request to the programProgram in accordance with OAR 333-028-0250 ~~that includes an explanation of the non-compliant requirements, a plan for corrective action and date for meeting compliance.~~

~~(77)~~ A certified SBHC must renew its certification no later than October 1 each year by completing the programProgram's online Operational Profile forms. A SBHC's certification expires if it is not renewed by October 1 of each year and the SBHC must reapply for certification under section ~~(112)~~ (12) of this rule.

(8) The programProgram will notify SBHCs of their certification renewal status by January 1 each year.

(9) Once a SBHC is certified, the certification ~~status~~ is effective for the following ~~certification fiscal~~ year (July 1- June 30).

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 40-2016, f. 12-22-16, cert. ef. 7-1-17

PH 15-2013, f.12-26-13, cert. ef. 1-1-14

333-028-0234

School-Based Health Center Program: Required Training

~~At least one representative from a SBHC must attend a SBHC orientation, provided by the program, within one year of the program's approval of the SBHC's certification application.~~

Statutory/Other Authority: ~~ORS 413.223~~

Statutes/Other Implemented: ~~ORS 413.223 & 413.225~~

History:

PH 40-2016, f. 12-22-16, cert. ef. 7-1-17

333-028-0238

School-Based Health Center Program: Transfer of Medical Sponsorship

(1) A certified SBHC that wishes to transfer medical sponsorship to a new entity must submit a Transfer of Medical Sponsorship Application to provide medical oversight.

(2) The program will review Transfer of Medical Sponsorship Applications in accordance with OAR 333-028-0230.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 40-2016, f. 12-22-16, cert. ef. 7-1-17

333-028-0240

School-Based Health Center Program: Verification

(1) The program~~Program~~ shall conduct one ~~on-site~~ verification review of each approved SBHC within one year of application approval to determine compliance with SBHC certification requirements described in OAR 333-028-0220. An on-site verification review may have on-site and off-site components.

(2) After the initial ~~on-site~~ verification review, the program~~Program~~ shall conduct ~~an on-site~~ verification review every two years~~once per biennium~~ for a representative sample of certified SBHCs in each SBHC system.

(3) A SBHC will be notified, in writing, no less than 30 calendar days before its scheduled verification review.

(4) A SBHC must permit program~~Program~~ staff access to the site's place of business during ~~the a verification~~ review.

(5) Prior to a verification review, the Program may conduct pre-visit meeting(s) with SBHC representative(s).

(56) The verification review ~~must~~ may include, but is not limited to:

(a) Review of documents, policies and procedures, and records;

(b) Review of patient health records, electronic medical or health record systems, ~~review of electronic health records systems~~, and review of practice management systems;

(c) Review of data reports from electronic systems or other patient registry and tracking systems;

(d) Interview(s) and survey(s) with sponsoring agency, practice management, clinical, and administrative staff;

(e) Interview(s) and survey(s) with -youth, parents/guardians, partner agencies, and school staff; practice management, clinical and administrative staff;

~~(ef)~~ On-site observation of practice staff with ~~at a minimum two~~ school-aged patients, with the consent of the patient, parent, or guardian; and

~~(fg)~~ On-site observation of patient environment and physical environment during business hours.

~~(67)~~ Following a review, ~~program~~Program staff may conduct an exit interview with SBHC representative(s). During the exit interview the ~~program~~Program staff shall:

(a) Inform the SBHC representative(s) of the preliminary findings of the review; and

(b) Give the SBHC representatives(s) a reasonable opportunity to submit additional facts or other information to the ~~program~~Program staff in response to the findings.

~~(78)~~ Within ~~14-30~~ calendar days of the ~~on-site visit~~verification review ~~program~~Program staff must prepare and provide the SBHC with a written report of the findings from the ~~on-site~~ review.

~~(89)~~ If no certification deficiencies are found during the review, the ~~program~~Program shall issue written findings to the SBHC indicating no deficiencies were found.

~~(910)~~ If certification deficiencies are found during the ~~on-site~~verification review, the ~~program~~Program may:

(a) Require corrective actions to be completed within a specified timeline; or

(b) Take action in accordance with OAR 333-028-0250.

~~(1011)~~ Without prior notice to the SBHC, t~~The~~ ~~program~~Program may conduct a verification review-o, an on-site review, or both, if the Program becomes aware of and SBHC's alleged noncompliance with certification

~~requirements or these rules. f a certified SBHC without prior notice of any or all selected certification requirements for compliance and perform a verification on-site review of a certified SBHC if the program is made aware of issues of compliance from any source.~~

(~~11~~12) At any time, a SBHC may request an administrative review of compliance, which includes one on-site visit. The review will be considered a “no penalty” review with the exception of gross violation or negligence that may require site closure or temporary suspension of services.

(13) Failure to cooperate with a verification review may result in suspension of a SBHC’s certification or decertification.

(14) A SBHC that has their certification suspended or revoked may not receive certified SBHC funding awards. The Program must discontinue funding of a SBHC that has had their certification suspended or revoked decertified.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 40-2016, f. 12-22-16, cert. ef. 7-1-17

PH 15-2013, f. 12-26-13, cert. ef. 1-1-14

333-028-0245

School-Based Health Center Program: Requesting Changes to Certified SBHCs

(1) An individual with legal authority to act on behalf of the entity that operates a certified SBHC must notify the Program of the intent to make any of the following changes, no less than 30 calendar days before the change occurs:

(a) Medical sponsor transfer.;

(b) Behavioral health sponsor transfer.;

(c) Permanent SBHC location change.;; and/or

(d) Permanent SBHC location transfer.

(2) An individual with legal authority to act on behalf of a certified SBHC the entity that administers a SBHC may request to make any of the changes listed in subsection (1) of this rule OAR 333-028-0245(1)(a-d) by submitting the request to the Program.

(3) Instructions for submitting a request to make any of the changes listed in subsection (1) of this rule OAR 333-028-0245(1)(a-d) are available by request to the Program email found at www.healthoregon.org/SBHC.

- (4) The Program shall review the request within 30 calendar days of receipt to determine whether it is complete.
- (5) If the Program determines that the request is not complete, it will be returned to the applicant-SBHC for completion and resubmission.
- (6) If the Program determines that the ~~applicationrequest~~ is complete it will be reviewed to determine if, with the change, the SBHC continues to ~~it~~ meets certification requirements described in OAR 333-028-0220. If the Program determines ~~that in reviewing~~ the request and applicable documents that the SBHC meets the certification requirements the Program shall:
- (a) Inform the SBHC applicant in writing that the ~~applicationrequest~~ has been approved ~~and the requested changes are certified~~; and
- (b) Instruct the ~~applicant-SBHC~~ to update the Program's online Operational Program and a date by which it must be completed.
- (7) Once the request has been approved the Program may schedule an on-site verification review in accordance with OAR 333-028-0240.
- (8) If the request is not approved ~~a SBHC does not meet certification requirements in their request to make any of the changes listed in OAR 333-028-0245(1)(a-d)~~, the Program may choose one of the following actions:
- (a) The Program may deny the request if the requested change means the SBHC does not meet the certification requirements in OAR 333-028-0220.
- (A) The Program will provide the applicant with a clear description of reasons for denial based on the certification requirements in the denial letter.
- (B) An applicant may request that the Program reconsider the denial of the request. A request for reconsideration must be submitted in writing to the Program within 90 calendar days of the date of the denial letter and must include a detailed explanation of why the applicant believes the Program's decision is in error along with any supporting documents.
- (C) The Program shall inform the applicant in writing whether it has reconsidered its decision; or
- (b) The Program may approve the applicant's request subject to entering into a corrective action plan that contains a timeline for meeting the non-compliance requirements. The SBHC must submit a waiver to the Program in accordance with OAR 333-028-0250 ~~that the SBHC is not meeting coming into~~.

333-028-0250

School-Based Health Center Program: Compliance

- (1) ~~(1)~~ A SBHC must notify the ~~program~~Program within ~~20~~30 calendar days of any change that brings the SBHC out of compliance with the certification requirements described in OAR 333-028-0220. A SBHC must submit a waiver request to the ~~program~~Program that includes an explanation

of the non-compliant requirement, a plan for corrective action and date for meeting compliance.

(2) The ~~program~~Program will review the waiver request and inform the SBHC of approval or denial of the waiver within ~~two weeks~~14 calendar days of ~~submission~~receipt.

(3) If the waiver is approved the SBHC must comply with certification requirements by the proposed date of compliance.

(4) If a waiver is denied~~;~~, a SBHC does not come into compliance by the date of compliance stated ~~in~~on the waiver; or a SBHC is out of compliance with certification requirements and has not submitted a waiver, ~~based on the program~~Program may, in its's discretion~~, the program may:~~

(a) Require the SBHC to complete an additional waiver request in accordance with this rule with an updated plan for corrective action and updated date for meeting compliance; or

(b) Issue a written warning with a timeline for corrective action; or

(c) Issue a letter of non-compliance with the notification of a certification suspension or ~~revocation~~decertification~~decertification status~~.

(5) A SBHC with its certification ~~status~~suspended may have its suspension lifted once the ~~program~~Program determines that compliance with certification requirements has been achieved satisfactorily.

(6) A SBHC that had been decertified may reapply under OAR 333-028-0230 at any time.

(7) If these rules are amended in a manner that requires a SBHC to make any operational changes, the ~~program~~Program will allow the SBHC until the beginning of the next certification year or a minimum of 90 calendar days to come into compliance.

(8) Failure to comply with these rules may result in suspension or revocation~~decertification of a SBHC's certification or decertification.~~

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 40-2016, f. 12-22-16, cert. ef. 7-1-17

PH 15-2013, f. 12-26-13, cert. ef. 1-1-14

333-028-0254

School-Based Health Center Program: Decertification Closure or Surrender of Certification

(1) An individual with legal authority to act on behalf of ~~the entity that administers a certified~~ an SBHC shall notify the Program of the intent to permanently surrender its certification ~~closedecertify an SBHC~~ no less than 30 calendar days before ~~the surrender closedecertification takes effect~~ at intended change.

(2) If the SBHC is closing, ~~An~~ the SBHC shall notify currently enrolled clients, community members, and partners of the following information: the SBHC's clinic closure date, the SBHC's record transfer and retention policy, and alternative sources of care for physical, behavioral, and oral health services.

(3) ~~An~~ an SBHC shall submit all required documentation to the Program no less than 30 calendar days after ~~the SBHC's closedecertification~~, including, but not limited to:

(a) Data reports from electronic systems or other client registry and tracking systems; and

(b) SBHC operational and quality improvement information as required by the Program.

(4) If a SBHC intends to close or to surrender its certification, the Program and the SBHC will establish the date decertification will take effect.
~~orsurrenders its certification~~

(5) ~~An~~ an SBHC that had been decertified or surrenders its certification may reapply under OAR 333-028-0230 at any time.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

333-028-0260

School-Based Health Center Program: Funding Criteria for Certified SBHCs

(1) The ~~program~~ Program is required, under ORS 413.225 to provide funds for the expansion and continuation of certified ~~school-based health centers~~ SBHCs.

(2) A SBHC that is certified by the ~~program~~ Program is eligible for funding by the ~~program~~ Program.

(3) Funding for a certified SBHC may be provided, but is not limited to being provided, to:

(a) A local public health authority, as that is defined in ORS 431.260;

(b) A sponsoring agency; or

(c) A coordinated care organization, or governmental entity or person that can demonstrate a significant interest and involvement in assisting and coordinating with SBHCs.

(4) Funding award amounts will be primarily based on the number of certified SBHCs in the county and legislatively approved budget. The ~~program~~Program may take into consideration other factors such as the quality of the health care services, clients served, and population needs.

(5) Funding for certified SBHCs shall be awarded for up to two years. Fund awards are renewable based on the certification renewal process per OAR 333-028-0220.

(6) Funding for a certified SBHC may be suspended or discontinued at the ~~program~~Program's discretion if a certified SBHC is out of compliance with certification requirements and the ~~program~~Program has issued a suspension notice under OAR 333-028-0250(4).

(7) OHA will take necessary actions under its funding agreement with an SBHC, to stop future payments if a SBHC is ~~The program must discontinue funding of an SBHC that has been~~ decertified.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 10-2014, f. & cert. ef. 4-1-14

333-028-0270

School-Based Health Center Program: Funding Criteria for SBHC Planning Communities

(1) The ~~program~~Program is required to direct funds to communities planning for certified ~~school-based health centers~~SBHCs and will do so through a competitive grant proposal process for ~~for one or two year~~ planning grants.

(2) Any of the following entities may be eligible to apply for planning grant funds on behalf of their community:

(a) A local public health authority;

- (b) A school or school district;
 - (c) A coordinated care organization as that is defined in ORS 414.025;
 - (d) Medical, dental or mental-behavioral health organizations; or
 - (e) A governmental entity or person that can demonstrate a significant interest and involvement in establishing, assisting or coordinating with SBHCs.
- (3) The ~~program~~Program will specify in its published request for proposals which entities within a community are eligible for that specific grant award.
- (4) Planning grant applicants will be evaluated on elements outlined in the request for proposal, which must include but is not limited to an evaluation of community need and readiness for a SBHC.
- (5) The grant amount awarded shall be determined based on the number of awarded applicants and the legislatively approved budget.
- (6) Funding for planning communities shall be awarded for a length of time determined by the Program and/or applicable legislation~~up to two years~~.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 10-2014, f. & cert. ef. 4-1-14

333-028-0280

School-Based Health Center Program: Funding Criteria for Incentive Funds

- (1) The ~~program~~Program shall award grant funding to communities with certified SBHCs through a competitive grant proposal process in order to incentivize:
- (a) Increasing the number of SBHCs as state-recognized patient-centered primary care homes as that is defined in ORS 414.025;
 - (b) Improve coordination of care of patients served by coordinated care organizations and SBHCs; and
 - (c) Improve the effectiveness of the delivery of health services through SBHCs to children who qualify for medical assistance.
- (2) Any entity or person described in OAR 333-028-0270(2) may apply for funding and the ~~program~~Program will specify in its published request for

proposals which entities within a community are eligible for that specific grant award.

(3) The ~~program~~Program will evaluate applicants based on elements outlined in the request for proposals, which must include but is not limited to an evaluation of whether the person or entity has the qualifications to accomplish one or more of the activities described in subsections (1)(a) through (c) of this rule.

(4) Funding awards shall be determined based on number of awarded applicants and legislatively approved budget.

(5) Funding for the incentive grants shall be awarded for up to two years.

Statutory/Other Authority: ORS 413.223

Statutes/Other Implemented: ORS 413.223 & 413.225

History:

PH 10-2014, f. & cert. ef. 4-1-14