

## Housekeeper Services Division 050

**413-050-0000 Purpose.** One mission of the Department is "Helping Children and Families." Children are best protected and nurtured when families are strong. The purpose of these rules is to help meet basic needs of families to maintain and strengthen the family so children can be maintained in their own homes whenever possible.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

### **413-050-0005 Definitions.**

- (1) **“CAF”** means Children, Adults and Families (CAF).
- (2) **“Department”** means the Department of Human Services (DHS).
- (3) **“SDA”** means Service Delivery Area (SDA). A geographic region of one or more counties served by the Department and managed by an SDA Manager.

**413-050-0010 Service Description** Regular housekeeping services are those tasks carried out within the home which are generally held to be routine and necessary to maintain the functioning of a family and which are performed by persons who are not members of the immediate household. Those tasks, by this definition, include, but are not necessarily limited to:

- (1) Routine housecleaning and related chores;
- (2) Laundry;
- (3) Food preparation and dish washing;
- (4) Twenty-four-Hour Emergency Service. There are temporary emergency circumstances wherein "live-in" arrangements are included under the housekeeping definition. Such 24-hour emergency service must be deemed as necessary to keep the family together and would include providing all routine household functions, including child care, usually when the only capable family members are temporarily absent or incapacitated.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

**413-050-0020 Eligibility (1)** Payment for housekeeping services rendered will be made only on behalf of:

- (a) Families who are current recipients of ADC, SSI, or are within the 0-79% State Median Income range; or
  - (b) Foster children (both IV-E and GA-FC) who are in the care and custody of the Department, living in the care of a foster family.
- (2) **Service Criteria.** Housekeeping Services may be authorized when services are deemed to offer an adequate solution to the following conditions:
- (a) Incapacity or short-term absence (usually not exceeding seven days) of the parenting persons who are unable to fulfill the routine, necessary household duties, due to such conditions as chronic or acute illness, severe emotional stress, physical handicap, complication of pregnancy, medically prescribed rest and childbirth. The need

and duration of need related to physical conditions shall be confirmed verbally or in writing by the attending physician unless the degree of incapacity is obvious (person is physically immobile);

**(b)** Certain unusual requirements for care of ill or handicapped children which preclude the carrying out of routine, necessary housekeeping duties by the parenting person and such care and duration of care is verified by the child's attending physician.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

#### **413-050-0030 Eligible Children Served Jointly with Other Department Programs**

**(1)** The Seniors and Persons with Disabilities (SPD) policy cluster will be responsible for authorization and payment of Housekeeper Services when the service is to support and sustain the SSI parent in an Alternate Community Care Plan. This would apply when the parent is physically unable to provide essential care to himself or herself and would, without Housekeeper Services, require placement in a nursing home or other medical institution. Authorization and payment of Housekeeper Services for SPD cases is subject to the availability of funds. In such cases:

**(a)** The Department case manager will be responsible for developing, establishing and monitoring the Alternate Care Plan and determining the appropriateness for Housekeeping Services as an adjunct of an Alternate Community Care Plan, and for parent/s who are disabled.

**(b)** The child welfare case worker will be responsible for all other social service planning and service implementation for the family as may be needed to assure the well-being of the children.

**(c)** The Department is committed to coordination at either the worker or supervisor level to carry out joint provision of services. SPD will not authorize housekeeper payments for an SSI/ADC case, or SSI parent/SSI child case, without coordinated planning with CAF staff.

**(2)** CAF will be responsible for authorization and payment for Housekeeper Services when it is not an addition to an Alternate Care Plan.

**(3)** All housekeeper situations pertaining to a child who is eligible in his or her own right for SSI, other than that covered in (1) (a) of this rule, is the responsibility of CAF.

**(4)** An allowance to the AFDC recipient for food and shelter costs for a "live-in" housekeeper is available through SPD. Such payment is initiated through the Department case manager.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

**413-050-0040 Authorization of Service (1)** CAF Housekeeping Services are to be authorized in advance of rendering the services.

**(2)** Under emergency conditions or other unusual circumstances housekeeping services may be provided for up to, but not exceeding, three working days prior to authorization. An "emergency" exists when the physical or emotional well-being of any family member would be endangered as a result of the time required to secure prior authorization.

"Other unusual circumstances" are those deemed by prudent judgment to be

reasonable explanations why a prior request for service was not made.

**(3) Authorization Period.** Each authorization for service is to be for a specific duration based on a reasonable estimate of the need, not to exceed 90 days for regular housekeeping or 6 months for disabled parents of children, and 7 days for emergency 24-hour services. Extensions are permissible with supervisory written approval.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005

**413-050-0050 Policies Governing Payment(1)** Payment rates are based on the minimum established by the Federal Wage and Hour Regulations. Payment may be made for regular housekeeping services for up to 40 hours per week. Overtime is paid at time and a half for each work hour above 40 hours per week, not to exceed a maximum of 10 hours per week overtime. Overtime is calculated by determining the hours worked for each sequential 7 day period beginning with the first day worked. All hours worked over 40 for the week is overtime regardless of hours worked for any one day.

**(2)** Payment rates per day for 24-hour emergency live-in services shall be negotiated by the family and shall not exceed a maximum cash payment equal to 10 hours per day.

**(3)** Exceptions to Maximum Payment Rates will be allowed under the following conditions:

**(a)** When part of the housekeeper's authorized responsibilities include use of his/her own car for purposes essential to maintaining the family, such as grocery shopping, reimbursement can be made at a standard rate for state employee mileage reimbursement. The agency assumes no liability incurred as a result of the housekeeper's use of his/her own car;

**(b)** Where the local rates for housekeeping services are generally higher than the maximums established in this rule, and to the extent competent housekeepers are not available for Department services, a higher rate may be established by the SDA manager or designee. The SDA manager or designee shall notify staff in the local area affected, and the DHS central office program manager, of increased rates;

**(c)** Exceptions to the maximum rate on a case basis may be made by the SDA manager or designee taking into consideration the local housekeeping budget constraints and the justification of such exception.

**(4)** Social Security taxes will be withheld from vendor payments. The agency will pay the employer's share.

**Exception:** When payment for housekeeping services is made to a commercial firm, such as Homemakers International (Upjohn) or a private agency, the Social Security process of withholding and paying Social Security taxes are made by the firm or agency.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.005