DHS Policy
Oregon Department of Human Services

Children, Adults and Families

Prior Version

Policy Title:	Development of Rules and Policies – Policy				
Policy Number:	III-A.11.1			Effective Date:	09-01-2006

Approved By: *on file* Date Approved:

Policy | Forms, etc. | References | Contact

Reference(s):

- Child Welfare Policy III-A.11,Model Rules for Rulemaking
- Internal Process Protocol
- DHS-010-001, Communication Format and Transmittal Forms
- Rule Advisory Committees Procedure
- OAR 137-001-0005 to 137-001-0100
- OAR 166-500-0000 to 166-500-0055
- OAR 407-005-0000 to 407-005-0010
- ORS 183.335
- ORS 418.005

Form(s) that apply:

- None referenced.

Policy:

Purpose
This policy provides guidelines for developing agency administrative rules and policy.

Policy

(1) Staff will write administrative rules and policies that**:**

(a) Reflect the agency values and mission; and

(b) Meet client, provider, staff and community needs.

(2) The CAF Administrative Rule Writer will review each rule and policy under development to ensure content and format consistency and lack of conflict with other rules and policies.

(3) The Child Welfare Program Manager responsible for the interpretation of an administrative rule or policy, or their designee, will review at least once every three years all of the DHS rules and policies for which the manager is responsible.

(4) Each administrative rule and policy shall:

(a) Be current;

(b) Be accessible;

(c) Provide a framework and basis for staff to carry out the mission and values of the agency;

(d) Meet all legal requirements, and comply with the policy and procedures set forth in this policy.

(5) Each administrative rule shall:

(a) Follow the drafting recommendations in Appendix B of the Oregon Attorney General's 2006 Administrative Law Manual; and

(b) Comply with the formatting and filing requirements for administrative rules in division 166-500 of the Oregon Administrative Rules.

(6) Policies will be available on the Department website and a hard-copy manual.

(7) Each policy will use the template attached to DHS Director's Office Policy DHS-010-001, Communication Format and Transmittal Forms.

(8) Except as provided in section (9) of this policy, staff will follow the Internal Process Protocol: http://www.dhs.state.or.us/policy/childwelfare/manual_3/iii-a111att.pdf that outlines the sequential process for the development and distribution of administrative rules and policies.

(9) Exceptions to the protocol may be approved at a meeting of the administrator of the Office of Safety and Permanency for Children and Child Welfare program managers as merited under the circumstances and permitted by state law. Situations in which exceptions may be justified include each of the following:

(a) A minor change is being made to rule or policy.

Prior Version

(b) A proposed rule or policy needs to be implemented sooner than the full process would require.

(10) The development process for a rule or policy covered by subsection (9)(b) of this policy will include DHS employees responsible for carrying out the rules and policies to the extent feasible.

Prior Version

Contact(s):

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