

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
&
STATEMENT OF NEED AND JUSTIFICATION

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on [upon filing] by the
Date prior to or same as filing date

Department of Human Services, Aging and People with Disabilities 411

Agency and Division	Administrative Rules Chapter Number	
Kimberly Colkitt-Hallman	500 Summer Street NE, E-48 Salem, OR 97301-1074	(503) 945-6398

Rules Coordinator	Address	Telephone
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to become effective [July 1, 2016] through [December 27, 2016].
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Rate Schedule for Home and Community-Based Services

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND:
411-027-0170

Stat. Auth.: **ORS 410.070**

Other Auth.:

Stats. Implemented: **ORS 410.070**

RULE SUMMARY

The Department of Human Services (Department) is immediately amending OAR 411-027-0170 to revise the home and community based care facility rates. These rates will be consistent with the current rate table information. The new rates become effective July 1, 2016.

In the Matter of:

The temporary amendment of OAR 411-027-0170 relating to payment limitations in home and community-based services.

Documents Relied Upon, and where they are available:

Need for the Temporary Rule(s):

OAR 411-027 needs to be amended by July 1, 2016 to reflect changes in the home and community based rates for Contracted In-Home Care Agencies, Adult Foster Homes, Residential Care Facilities, Assisted Living Facilities, Memory Care Facilities, and Home Delivered Meals. The Department is amending the rate rule to reflect the new rate schedule that will become effective July 1, 2016.

Justification of Temporary Rule(s):

Failure to act promptly and immediately to amend OAR 411-027 will result in serious prejudice to home and community based care facility providers (Contracted In-Home Care Agencies, Adult Foster Homes, Residential Care Facilities, Assisted Living Facilities, Memory Care Facilities, and Home Delivered Meals), consumers, to the public interest, and the Department by preventing the Department from providing correct facility payments for services rendered to Medicaid service eligible individuals. These rules need to be amended promptly so the Department can provide the proper payments to providers for services rendered.

OAR 411-027-0170 needs to be amended promptly because the new rates go into effect on July 1, 2016.

Signed Michael R. McCormick, Deputy Director, Aging and People with Disabilities

6/23/2016

Signature

Date

DEPARTMENT OF HUMAN SERVICES
AGING AND PEOPLE WITH DISABILITIES
OREGON ADMINISTRATIVE RULES

CHAPTER 411
DIVISION 27

PAYMENT LIMITATIONS IN HOME AND COMMUNITY-BASED
SERVICES

**411-027-0170 Rate Schedule for Home and Community-Based
Services**

(1) Rates below are in effect starting July 1, 201~~6~~5.

(2) Monthly Rates:

(a) Residential Care Facilities:

(A) Base - \$1~~405371~~405371.00.

(B) Base plus 1 add-on - \$16~~7736~~7736.00.

(C) Base plus 2 add-ons - \$19~~4901~~4901.00.

(D) Base plus 3 add-ons - \$2~~221466~~221466.00.

(E) Hourly Exception Rate - \$12.00 per hour.

(b) Adult Foster Homes:

Rates shall be paid in accordance with the terms of collective bargaining agreements negotiated between the Service Employees International Union and the State of Oregon.

(c) Assisted Living Facilities:

(A) Level 1 - \$1,1~~2800~~2800.00.

(B) Level 2 - \$1,3~~9863~~9863.00.

(C) Level 3 - \$1,75344.00.

(D) Level 4 - \$2,203448.00.

(E) Level 5 - \$2,650586.00.

(d) Memory Care Facilities (Endorsed Units Only) - \$3,686596.00 per month.

(e) Contracted In-Home Care Agencies Rate - \$22.321.80 per hour.

(f) Home Delivered Meals Rate - \$9.54 per meal.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070