

Eva Kutas

**Authorized Signature**

**Number: SPD-IM-09-042**

**Issue Date: 5/20/2009**

**Topic:** Developmental Disabilities

Highlights of Changes to OAR 407-045-0250, Abuse Reporting and Protective Services in Community Programs and Community Facilities (“the

**Subject:** Community Abuse Rule”)

**Applies to (check all that apply):**

- |                                     |                               |                                     |   |
|-------------------------------------|-------------------------------|-------------------------------------|---|
| <input type="checkbox"/>            | All DHS employees             | <input checked="" type="checkbox"/> | County Mental Health Directors  |
| <input type="checkbox"/>            | Area Agencies on Aging        | <input type="checkbox"/>            | Health Services   |
| <input type="checkbox"/>            | Children, Adults and Families | <input type="checkbox"/>            | Seniors and People with Disabilities  |
| <input checked="" type="checkbox"/> | County DD Program Managers    | <input checked="" type="checkbox"/> | Other (please specify): 24-Hour DD Residential Programs; DD Foster Providers, State Operated DD Community Programs; Employment Programs and Brokerage Directors |

**Message:** OAR 407-045-0250, Abuse Reporting and Protective Services in Community Programs and Community Facilities (“the Community Abuse Rule”) has been AMENDED, effective May 1, 2009.

The following changes have been made:

- The rule requires community mental health and developmental disability programs to designate at least one person to conduct protective services investigations.
- The rule requires designated protective service investigator (PSIs) to participate in training based upon core competencies. Both initial and continuing education training shall be provided by the Department (OIT).
- The rule updates and clarifies various definitions, including but not limited to definitions of “substantiated,” not substantiated,” and “inconclusive.”
- The rule requires community program to send certain notices within established guidelines to provider agencies, brokerages, guardians and others as described in the rule.

- The rule establishes a 45 day timeline for completing investigations, and provides a process for requesting extensions when timelines cannot be met.
- The rule standardizes the types of information to be included in an investigative report, which must be approved by OIT.
- The rule clarifies individuals and entities to whom reports may be disclosed, and requires the community program to redact and distribute reports within ten (10) days of the report's completion.

*If you have any questions about this information, contact:*

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|--------------------|--|-------------|-----------------|
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