

Mary Lee Fay  
Authorized Signature

Number: SPD-IM-12-012  
Issue Date: 3/8/2012

Topic: Foster Care

Subject: Adult Foster Care and OSHA

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

- |  |   |
|--|---|
| <input type="checkbox"/> All DHS employees                     | <input checked="" type="checkbox"/> County Mental Health Directors  |
| <input checked="" type="checkbox"/> Area Agencies on Aging     | <input type="checkbox"/> Health Services  |
| <input type="checkbox"/> Children, Adults and Families         | <input checked="" type="checkbox"/> Seniors and People with Disabilities  |
| <input checked="" type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (please specify): ODDS County Relations Unit, DD Licensing Unit, AFH-DD providers, AFH-DD licensors |

**Message:**

Adult Foster Home Providers are exempt from worker's compensation requirements for their employees under ORS 656.027(19). Adult Foster Home providers that do not pay into the worker's compensation program are not within Oregon Occupational Safety and Health Administration (OSHA) jurisdiction. Providers who elect worker's compensation coverage for their employees **are** under OSHA jurisdiction.

Recently some Adult Foster Home Providers have been contacted by the Oregon Occupational Safety and Health Administration requesting access to the AFH-DD for purposes of OSHA inspection.

Providers that do not contribute to the worker's compensation program do not have to grant access to the AFH-DD for inspection; however those who do purchase the coverage must grant access to OSHA inspectors.

Confidential client information is not to be disclosed at any time during the inspection. Providers bound by OSHA jurisdiction must maintain compliance with all state and federal privacy and confidentiality requirements.

Additional information can be located on the OSHA website at [www.orosha.org](http://www.orosha.org).

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

<b>Contact(s):</b>	Shelly Reed(DD), Sylvia Rieger (APD), Melanie Tong (AMH)		
<b>Phone:</b>	503-945-5828(DD), 503-945-6403(APD) 503-945-8865 (AMH)	<b>Fax:</b>	503-945-7811(DD) 503-378-8966(APD) 503-378-8467 (AMH)
<b>E-mail:</b>	<a href="mailto:Shelly.M.Reed@state.or.us">Shelly.M.Reed@state.or.us</a> , <a href="mailto:Sylvia.A.Rieger@state.or.us">Sylvia.A.Rieger@state.or.us</a> , <a href="mailto:Melanie.Tong@state.or.us">Melanie.Tong@state.or.us</a>		